

John G. Buerker, Pigeon.
 George A. Ruddy, Plainwell.
 Fred Cavill, Rapid River.
 William F. Cunningham, Rockwood.
 Percy Cecil Carr, Rudyard.
 George Arthur Blanchard, Sand Lake.
 Mary A. Ripley, Sault Ste. Marie.
 Robert Miller, Sr., Sawyer.
 James W. Henry, Sturgis.
 Joseph R. Haferkorn, Vulcan.

NEW YORK

John N. Currier, Pierceland.

NORTH DAKOTA

Francis Oscar Johnson, Hillsboro.
 Clinton C. Howell, Sheldon.

RHODE ISLAND

Edward F. Carroll, Providence.

SOUTH DAKOTA

John Evans, Agar.
 Mary A. Hornstra, Avon.
 George B. Brown, Clark.
 Edward L. Fisher, Eureka.
 Edward H. Bruemmer, Huron.
 Ena C. Erling, Raymond.
 Philip McMahon, Salem.
 William P. Smith, Stickney.
 Joseph S. Petrik, Tabor.

VIRGINIA

Mary F. Cunningham, Fort Myer.
 Austin C. Tyree, Millboro.

WEST VIRGINIA

Whiting C. Faulkner, Martinsburg.

WISCONSIN

Roman W. Stoffel, Allenton.
 John S. McHugh, De Pere.
 James A. Stewart, Lac du Flambeau.
 Frank M. Doyle, Ladysmith.
 Edward F. Butler, Mosinee.
 Lillian N. Hughes, New Richmond.
 Frank J. Horak, Oconto.
 Gladys M. Suter, Plum City.
 Walter H. Sprangers, Waldo.
 James W. Carew, Waupaca.

WYOMING

William H. Watson, Dubois.
 Althea E. Rollins, Lyman.
 John T. Jones, Worland.

WITHDRAWAL

*Executive nomination withdrawn from the Senate May 15
 (legislative day of May 10), 1934*

POSTMASTER

Alfred B. Spinks to be postmaster at Los Altos, in the State of California.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 15, 1934

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D.D., offered the following prayer:

The Lord God is a Sun—the Source of all good; and the Lord God is a Shield—the Defense from all peril. Therefore, we wait before Thee. O Spirit of God, summon us to acts of generosity couched in understanding and make us true and strong to conquer. In every situation lead us to do the things we know we ought to do. Heavenly Father, may thought and purpose be translated into terms of life that spells uprightness, determination, and conviction. Merciful Lord, in these hectic days fortify us with serenity, assurance, and penetrating insight that shall bear lasting fruitage

and appeal to the patriotic sentiment of our country. Each day let goodness, kindness, and charity arise from characters that are altogether worthy, and unto Thee be praise forever. Through Christ our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following date the President approved and signed bills of the House of the following titles:

On May 14, 1934:

H.R. 3900. An act authorizing the Secretary of the Treasury to pay subcontractors for material and labor furnished in the construction of the post office at Las Vegas, Nev.; and H.R. 5299. An act for the relief of Orville A. Murphy.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate insists upon its amendment to the bill (H.R. 9323) entitled "An act to provide for the regulation of securities exchanges and of over-the-counter markets operating in interstate and foreign commerce and through the mails, to prevent inequitable and unfair practices on such exchanges and markets, and for other purposes", disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FLETCHER, Mr. BARKLEY, Mr. BYRNES, Mr. GOLDSBOROUGH, and Mr. COUZENS to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3487. An act relating to direct loans for industrial purposes by Federal Reserve banks, and for other purposes.

ADJOURNMENT OVER

Mr. BYRNS. Mr. Speaker, we are up with the business of the House, and I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday, and when it adjourns on Thursday it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

COMMITTEE ON THE JUDICIARY

Mr. HEALEY. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be permitted to sit during sessions of the House for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that at the expiration of the time to be used by the gentleman from California [Mr. HOEPEL] I may be allowed to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes following the special orders already granted.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

AN EMPIRE WITHIN AN EMPIRE

Mr. STUBBS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. STUBBS. Mr. Speaker, the counties of Kern, San Luis Obispo, Santa Barbara, Tulare, and Ventura constitute the Tenth Congressional District of California, an area of

vast natural resources, great agricultural industries, and the home of approximately 320,000 souls. This territory, literally an empire within an empire, lies in the lower central part of the State, borders on the placid Pacific Ocean for almost 200 miles, and also includes a large sector in the lower part of the San Joaquin Valley, with a range of mountains separating the valley and the coastal counties. I would be remiss in a proper sense of appreciation and pride which I feel in this great district if I did not relate, at every opportunity, the wealth of its countryside and the character of the fine people who reside there. I like to report that the Tenth Congressional District of California is larger than four of our Eastern States combined and has more people residing within its borders than the combined population of several States of the far West.

This district is a new one under the reapportionment program, and I am proud to be the first Member of Congress from this new congressional area. Some have wondered why three coastal counties were joined with two valley counties in the creation of this district.

DISTRICT REAPPORTIONMENT HISTORY

The subject of congressional reapportionment arose before the State Legislature of California during the fiftieth session in 1931. One of the important questions was a fair division between the north and south congressional districts of the State. The counties composing the southern part of the State were entitled to 11.02 Members in the United States Congress, it was determined, and it therefore appeared to be a fair division between the northern and the southern part of the State to give 11 members to the southern part and 9 members to the counties north of San Luis Obispo, Tulare, and San Bernardino Counties. The lines were drawn as they were with two thoughts in mind—first, the fair division between the north and the south; and, second, creation of a district in southern California which would be north of Los Angeles County and which would preserve an equal balance between the coast and the valley counties. It is noted that the population of San Luis Obispo, Santa Barbara, and Ventura Counties on the coast by the 1930 census was almost the same as the population of Tulare and Kern Counties.

Those who represented Tulare and Kings Counties were anxious that Kings County be kept with Tulare, and proposed an amendment to the State legislature which would add Tulare to the proposed Tenth Congressional District, but this amendment was defeated principally because the coast counties objected on the ground that it would give the valley counties a preponderance of the population. There was some thought of joining Kern with San Bernardino, but this was distasteful to Kern County, as citizens in the latter county felt they would be a tail to San Bernardino's kite. Tulare County desired to remain with Fresno County, its neighbor on the north, but such a plan would have necessitated an elongated district along the coast with the valley county of Kern tied to it. The bill, introduced in the assembly, and which passed the assembly but died in the State senate, made one less district in Los Angeles County and provided that the Tenth Congressional District contain the counties of Santa Clara, San Benito, Santa Cruz, Monterey, and San Luis Obispo, and would have made the Eleventh Congressional District consist of Santa Barbara, Ventura, Kern, Tulare, Mono, and Inyo Counties, but this arrangement, besides being objectionable on the ground that it did not provide southern California with the number of Members of Congress to which it was entitled, was also under objection by the citizens of Ventura and Santa Barbara Counties, who felt that such an arrangement would have given the inland counties a preponderance of the district's population.

And thus came about the compromise which joined 2 valley counties with 3 counties on the coast, and I am happy to report that this new arrangement has proved very satisfactory, and that the citizens of these areas, separated by a mountain wall, are finding their interests coincide largely, and a remarkable neighborliness is springing up there which did not exist heretofore when they were not

joined legislatively in Congress. Without the marvelous highway system of California, which permits the annihilation of time in traveling, I do not believe these distant counties could have been knitted into a solid unit which would have given us the satisfaction we enjoy together today.

This great district in California, located between the northern and the southern parts of the State, not only joins these ends of our elongated State, but, because of its representation in Congress, provides a balance wheel or balance of power in the event the State's entire representation should become alined against one another in a legislative maneuver with a conclusion designed to benefit or harm one particular end. It is a happy arrangement and attests the thought which the State legislators gave to a difficult problem.

There are many remarkable places, and interesting activities in Kern, San Luis Obispo, Santa Barbara, Tulare, and Ventura Counties, and today I take occasion to point out a few of the vast natural resources we possess there, particularly those associated with our governmental system, and tell you something about the more romantic feature of our locality, for the Tenth Congressional District is a land fashioned by the hands of the pioneers, and is shrouded in historical romance.

FOREST RESERVES

More than 375,000 visitors, principally tourists, spent vacations in the Santa Barbara National Forest and the Sequoia National Forest of the Tenth Congressional District during the past year, bringing to the communities which border them millions of dollars in added business. The two great forest reserves, Sequoia, located principally in Tulare and Kern Counties, and the Santa Barbara Reserve, situated in San Luis Obispo, Santa Barbara and Ventura Counties, comprise an aggregate area of 3,104,753 acres of Government land, with an aggregate of 351,875 acres of patented land, for a total of 3,456,628 acres. Sequoia boasts a total of 1,437,814, and the Santa Barbara Reserve 2,018,814 acres.

History of the Santa Barbara National Forest shows that the Pine Mountain and the Zaca Lake Forest Reserves, created by proclamation of March 2, 1898, and the Santa Ynez National Forest, proclaimed October 2, 1899, by President McKinley, were united December 22, 1903, by President Theodore Roosevelt, into the institution now known as the Santa Barbara National Forest.

TENTH DISTRICT FOREST RESERVES

The Executive order of President Taft, July 1, 1908, added to the Santa Barbara National Forest all of the San Luis Obispo National Forests, in all 355,990 acres, and on August 18, 1919, President Wilson added the Monterey National Forest, which is now a separate unit administered as a ranger district of the parent institution. September 30, 1925, the reserve lost 265,538 acres, when President Coolidge, by proclamation, added that acreage to the Angeles National Forest.

Communities affected by the principal body of the Santa Barbara National Forest extend from the city of San Luis Obispo, through Santa Barbara County, and into Ventura County as far as Piru. The population directly and indirectly affected is approximately 50,000 persons, residing in six towns and many smaller communities, along the western and southern boundary.

The principal forest activities are protection of the watersheds, recreation, and grazing. The forest was used by 125,000 persons in the last year for recreational purposes. Camps dot its entire area. Santa Barbara National Forest has 526,700 acres suitable for the grazing of livestock, and the Secretary of Agriculture has authorized the grazing of 8,700 cattle and 4,950 sheep. Two stock associations cooperate with the United States Forestry Service in regulation and management of grazing resources.

Sequoia National Forest originally was part of the Sierra Forest Reserve, first proclaimed by President Harrison on February 14, 1893. It was made a separate forest by proclamation of President Theodore Roosevelt on July 2, 1908.

The southern half, mainly in Kern County, was proclaimed the Kern National Forest by President Taft, July 1, 1910,

but was restored as part of the Sequoia National Forest by President Wilson on July 1, 1915. President Coolidge struck 109,542 acres from the Sequoia National Forest, on July 3, 1926, and added them to the Sequoia National Park.

The district affected by this great reserve lies from Fresno on the north, through Tulare and Kern Counties, and into the Tehachapi Mountains on the south. Nine large towns and many smaller communities are located along the western boundary. More than 150,000 residents are affected by the resources of this forest system.

Seven licenses for water-power permits and four licenses for transmission lines have been issued by the Federal Power Commission for projects within the forest reserve. There are eight irrigation districts embracing 246,256 acres of irrigated land, 9,270 holdings and 52,000 persons dependent on water resources protected by the Sequoia National Forest.

Grazing of livestock is authorized by the Secretary of Agriculture for 17,200 cattle and 4,200 sheep on 807,900 acres of land. There are six livestock associations cooperating with the United States Forestry Service in the Sequoia National Forest in the management of the national forest range resources.

Recreation is gaining in importance. More than 250,000 persons were visitors there during the past year. More than 163,000 acres are reserved for recreational purposes.

OLD MISSIONS

Priceless beyond measure, enveloped in a halo of historical romance, and mecca for many thousands of visitors annually, the six old missions of the coastal territory of the Tenth Congressional District of California shed a soft influence which eradicates the element of time, and brings the past, the present, and the future together. Incalculably valuable as historic monuments, and as increasing attractions for tourists, they share honors with no other landmark of all California.

Santa Barbara County, heart of the great Tenth Congressional District and a land of milk and honey, possesses 3 of the 6 old missions. Mission Santa Barbara was established December 4, 1786, by Father Lasuen, at the same time the Presidio of Santa Barbara was founded. It was damaged by an earthen tremor in 1925. It had been preserved in all its grandeur through the century and a half since its establishment. The church that now stands was begun in 1815 and dedicated September 10, 1820, to replace one damaged in an earthquake of 1812.

The second mission of importance in Santa Barbara County is Mission Santa Ynez, originally known as Mission Santa Ynez (St. Agnes, the Virgin and Martyr), and was one of three missions erected in the nineteenth century. It was founded by Fathers Tapis and Cipres, September 17, 1804, in the valley not far from La Purisima. The earthquake of 1812 did serious damage to the buildings of this mission, and a new church was begun in 1815 and dedicated on July 4, 1817. Mission Santa Ynez stands on the outskirts of the bustling community of Solvang (Valley of the Sun), settled by folks of Danish ancestry.

Not the least important but perhaps the least known of Santa Barbara County missions is Mission La Purisima Concepcion, founded December 8, 1787, by Father Lasuen. Its first site was about 2 miles farther south. The church building which survived the mission period was dedicated in November of 1818. Mission La Purisima Concepcion was the first mission abandoned after 1812.

Mission San Buenaventura, located near Ventura in Ventura County, was founded March 31, 1782, and was the first of the Franciscan missions to be established among the natives of the Santa Barbara Channel. It was the last of the missions founded by Father Junipero Serra, original mission builder among the padres. A church constructed in 1811 was badly damaged by the earthquake of 1812 but was rebuilt about 1815 and is still in use.

Mission San Luis Obispo, located in the city of San Luis Obispo, in the county of the same name, originally was named "Mission San Luis Obispo de Tolosa" (St. Louis, the

bishop of Toulouse), and was established by Father Junipero Serra, September 1, 1772, long before the Declaration of Independence, and was the fifth of the mission chain. Changes in recent years have almost obliterated the Spanish atmosphere which pervaded early photographs of the historic dwelling of God.

A second mission of San Luis Obispo County is Mission San Miguel, originally known as "Mission San Miguel Arcangel", for St. Michael, the Archangel, was founded July 25, 1797, by Fathers Lasuen and Sitar. The present church, completed about 1819, retains much of its early appearance.

The priestly robes and altar equipment carefully guarded within the walls of many of these old missions could never be replaced. Thousands view them yearly and ponder on the industriousness and piety of the old padres and their Indian neophytes. Where ten thousand stand within their sacred walls today a hundred gazed in awe 20 years ago, and 20 years hence they will be mecca for millions. Their attraction increases with the years.

It is my fond hope that one day the United States Government will recognize the actual and sentimental value of these glorious relics of the past and join hands with the State of California and its citizens in rehabilitating them and preserving them for the benefit of posterity. To that end I have pledged my best efforts, and when the opportune time arrives to place this subject before the Congress or the proper Government agency I hope that my colleagues will assist me in the task of preserving these priceless structures for our children and our children's children.

It is of incalculably greater benefit to the race that the mission fathers lived and had their fling of divine audacity for the good of the helpless aborigines than that of any score one might name of the successful captains of industry who lived to make their unwieldy, temporary, and topheavy piles of gold. These padres did. They had a glorious purpose which they pursued faithfully—

According to one commentator.

INDIANS OF TENTH DISTRICT

Before the paleface came there was no poison in the Indian's corn—thus run the words of an aboriginal sage whose prophecy holds true today. Perhaps, if these earlier Americans ever collect on the claim which they entered years ago against the United States Government, the 1,145 enrolled Indians of the Tenth Congressional District will be enriched by an aggregate sum of approximately \$343,500,000.

As a member of the Indian Affairs Committee of the House of Representatives, and spokesman for the numberless tribes of my five counties, I am anxious that these Indians obtain, through the white man's methods of legal procedure, a sum of money to compensate them for the actions of the paleface in ousting them from their homes and their lands many decades ago.

According to one authority, the discovery of gold brought about the moral and economic downfall of the Indian in California. Executive departments of the Federal Government, in an effort to deal justly with the Indians of this State, negotiated with these aborigines in 1851-52 and made treaties through which the Indians surrendered their right of occupancy covering the greater part of the State, for a consideration including the payment of goods and supplies and the setting aside, in perpetuity for their use and occupancy, certain specified reservations aggregating 7,500,000 acres of land. But the treaties were never ratified. Instead, they were ordered by the Senate into secret file and have remained there for more than half a century. Why were they not ratified? is asked, and the answer then was said to be, "because thar might be gold in them thar hills and valleys."

However that may be, the Indians, under the guidance of honorable men employed by the Government, various civic organizations, and particularly organizations of women, brought forth the case of the Californian Indian, a claim against the Federal Government brought by 23,000 enrolled Indians, and which, when and if settled, will bring something like \$7,000,000 to their rescue—not in cash, but in trust, subject to appropriations by Congress for educational,

health, industrial, and other purposes for the benefit of the Indians, including the purchase of lands and building of homes.

Kern County harbors approximately 370 Indians, representing two primary tribes, the Paiute and Tejone. Members of the Paiutes reside in the eastern Kern County district around Weldon, Kernville, Isabella, Onyx, Monolith, and the Tejones reside around Bakersfield, south of Bakersfield, or primarily on the El Tejone Ranch properties. In addition, there are about 20 other Indians, belonging to the Shoshone, Pueblo, Monache, and Seranno Tribes. In the unratified treaties of 1851-52, the Indians were to have been given several thousands of acres of land for a reservation, which would have covered the area where Bakersfield now stands, extended north beyond Lost Hills, and south to the Ridge Mountain range, and west to the great Button-willow Lake area.

Tulare County, with the second largest Indian population of the Tenth Congressional District, has approximately 30 tribes, with an aggregate population of 350 Indians. The great Tule River Reservation harbors the Kalayunmi, Koyati, Pankahlchi, Serrano, Serrano-Yawilmani, Tachi, Tejon, Tejon-Wikchami, Tejon-Yawilmani, Wicchamni, Wikchamni-Tachi, Yaudanchi, Yawilmani, Yawilmani-Pankahlchi, and Yawilmani-Wikchamni Tribes, while off the reservation are found remnants of the Apache-Navajo, Cherokee, Cherokee-Waksachi, Chuckchansi, Intimbich, Intimbich-Wikchamni, Koyati, Koyati-Waksachi, Monachi, Tachi-Tachi-Waksachi, Tachi-Wikchamni, Tejon, Waksachi, Wikchamni, Wikchamni-Cherokee, Yawilmani, Yawilmani-Waksachi, and other tribes. This 45,000-acre reservation is the largest in central California. It lies 17 miles east of Porterville. Also, near the town of Strathmore there is 40 acres of land purchased several years ago for the use of homeless Indians of that vicinity. However, that is a bare tract of land without any improvements or any water, and the Indians have not been able to make the necessary improvements for use and occupancy of the land, and no funds have been made available for such a purpose.

Ventura County has no reservations, and only a dozen Indians; but Santa Barbara County has the Santa Ynez Reservation with about 92 persons, all of alleged Shoshonean origin, with an admixture of Spanish. These individuals resent the name and insist they are of Spanish origin. The reservation comprises 75 $\frac{3}{4}$ acres, and while it is not a reservation, in that title to the land is not in the United States, these Indo-Spaniards reside on it and have use and occupancy only.

The land originally was owned by the Catholic Church (The Collego Rancho) and later sold to others, but the Catholic Church made an agreement with the Government permitting the Indians the use and occupancy and this agreement is binding on later purchasers.

San Luis Obispo County has an Indian population of 20 and no reservations.

All the Indians of the Tenth Congressional District are citizens of the United States, and the same laws govern them as any other citizen. The birth rate of the full-blooded Indians naturally is decreasing, owing to their assimilation into the general population, and, conversely, the birth rate of the mixed bloods is increasing, by virtue of the same reason.

With recognition of their claim by the United States Government, approximately \$300 will be placed in trust for each of the enrolled Indians of the Tenth Congressional District.

Deprived of their lands by palefaces in a ruthless search for gold, beaten from their place in the sun, and forced to wander about the State, little wonder that the Indians are a dejected and decreasing race, and less wonder that it is said, "Pity poor Lo!"

NAVAL PETROLEUM RESERVES

Crude oil, natural gas, and natural gasoline extracted from the two naval petroleum reserves located within the boundaries of Kern County have been valued at approximately \$168,434,026, according to figures of the United States Navy Department, and according to the same official source, petro-

leum still harbored there, based on a fixed value of 75 cents the barrel, will bring an income estimated at \$338,150,000. The volumes of oil, gas, and natural gasoline which have been produced and sold from the Government's two reserves, to a fixed date in the past year, are:

	Quantity	Value
No. 1 reserve—production:		
Oil.....barrels.....	42,890,784	\$38,129,907
Gas.....thousand cubic feet.....	39,228,831	2,196,702
Gasoline.....gallons.....	32,048,130	3,140,718
Total.....		43,467,327
No. 2 reserve—production:		
Oil.....barrels.....	86,246,695	100,994,850
Gas.....thousand cubic feet.....	58,634,833	3,220,779
Gasoline.....gallons.....	178,802,325	20,741,070
Total.....		124,956,699
Grand total, all production.....		168,434,026

No estimates have been made of the value or quantities of unrecovered gas and natural gasoline in the reserves.

Engineers of the United States Geological Survey have recently estimated the original recoverable oil, using present production methods, from Government lands in the no. 1 reserve at 400,000,000 barrels, of which more than 43,000,000 barrels will have been produced at the date of this reading, leaving approximately 357,000,000 barrels still in the ground, and estimated at the average price of 75 cents the barrel, this oil still in the ground has a potential value of \$267,000,000. On the same basis, recoverable oil in no. 2 reserve is estimated at 150,000,000 barrels, minus 86,000,000 barrels which will have been produced by the time of this reading, for an estimated potential value of \$1.10 the barrel, or \$70,400,000.

The two reserves were created by Executive order of September 2, 1912, and December 13, 1912, respectively, by President Taft. They consist of 68,239 acres, of which 26,046 acres are privately owned lands within the reserves, 10,075 being leased Government lands, and the balance of 32,228 acres Government lands not leased.

Withdrawal of these public lands was followed by extensive litigation. This litigation continued until after the passage of the Leasing Act, approved February 25, 1920. Under this act all claimants to lands in reserve no. 2 (no discoveries having been made on Government lands in reserve no. 1 prior to the passage of the act of Feb. 25, 1920) who could qualify thereunder were granted well leases to operate the wells they had drilled.

These well leases remained in effect until after the Harding administration took office March 4, 1921, and Albert B. Fall became Secretary of the Department of the Interior. Secretary of the Navy Denby, on April 14, 1921, took the first steps toward leasing the Government's land in Naval Petroleum Reserve No. 1, adjoining areas being developed outside of and bordering the reserve. By Executive Order No. 3474, of May 31, 1921, the administration of the naval petroleum reserves was committed to the Secretary of the Interior.

Then followed one of the most far-reaching scandals in the annals of our Government, when, by November 26, 1923, the Department of the Interior had succeeded in leasing to private oil operators all of Naval Petroleum Reserve No. 1 (Elk Hills), and all but 320 acres of the Government's land in Naval Petroleum Reserve No. 2 (Buena Vista Hills).

The congressional investigation of these leases led to legal action which resulted in the cancellation of these leases, and by December 9, 1932, all of land in No. 1 Reserve, save four leases comprising a combined area of 429 acres, had been recovered and returned to the Government.

By Executive order of March 17, 1927, no. 4614, the Executive Order No. 3474, of May 31, 1921, was revoked, and jurisdiction over the petroleum reserves was returned to the United States Navy Department, where it remains today. At the present time there remain 4 active leases in Naval Petroleum Reserve No. 1, having a combined area of 429 acres, and 21 active leases in No. 2 Reserve, having a combined area of 9,546.01 acres.

No oil development is permitted by the Navy Department or operations on the lands remaining under its control in the reserves. On the leased lands lessees are required to produce the necessary wells to protect the Government's lands from losses by drainage to producing wells on adjoining lands owned in fee.

The purpose of the naval petroleum reserves is to retain a reserve supply of oil in the ground until such time when the demands of the Navy will require its production, because none is available from other sources, or until some national emergency makes its production necessary to supply the Government's needs.

WHAT HAS BEEN ACCOMPLISHED

Mr. GLOVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. GLOVER. Mr. Speaker, ladies and gentlemen of the House, I want us to take a casual review of the things accomplished by the Democratic Party under the leadership of President Franklin D. Roosevelt in the first year of his administration.

The heavy, dark cloud of despair and gloom was seen and heard on every hand when President Roosevelt was sworn in as President. Confidence had been destroyed in a large measure by the lack of wise leadership by the Republican Party that had been in power for a number of years. Ninety-five percent of the business of the world is done largely on confidence, and the first task of the new President was to restore confidence in the Government that had almost been lost in the Hoover administration.

The plea of President Hoover in his campaign and radio messages for reelection was that he had kept the country on the gold standard and on a high tariff. These were the two things that had made it impossible for his administration to succeed.

When Mr. Roosevelt was inaugurated, there was a long line to the Treasury windows by everyone who had a gold certificate, to get it cashed and get the gold coin to take home with them to be put in a lock box and to be taken out of circulation.

One of the first acts of President Roosevelt was to make an order stopping this run on the Treasury and requiring those having gold coins to return them to the Treasury and receive certificates in lieu thereof.

The United States now has in the Treasury and Federal Reserve banks \$7,756,042,447 as shown by the Treasury report of May 5, 1934.

We only have about \$11,000,000,000 in gold in the world. We now have the most of it, and at the rate we are going we will soon have it all. We could now issue \$15,000,000,000 in money under the existing law with a 40-percent gold reserve, and that is all that is required under our law with a single gold standard.

Congress has authorized the President to coin into money an unlimited amount of silver and return to a double standard of both gold and silver as is provided for by our Constitution, and we hope he will use this power at once. That and that alone is the sure road to prosperity. Pumping morphine into a patient never cured him of a disease but is only given as a rest medicine until the patient can be given a real cure for his sickness.

The alarmist who goes about trying to make people believe that the Government is going on the rocks should be carried to a specialist and have his head examined. Let us take a correct view of it and see where our Government stands.

The Government owes an outstanding interest-bearing debt of about twenty-two and a half billion dollars. We have owing to us from foreign countries \$11,000,000,000 in principal and near \$1,000,000,000 dollars in interest that is now due. If this amount is paid, and it will be paid in the future, our interest-bearing national debt would only be around \$10,000,000,000. As stated before, we could now issue on the gold basis of 40-percent reserve, which is the highest reserve that is required by any gold-standard na-

tion, \$15,000,000,000 in gold certificates and pay off all the national debt and still have around \$5,000,000,000 in money in the Treasury, with near \$8,000,000,000 in gold bullion to back it up. A nation's money is ordinarily valued by the nation's ability to pay its obligations, and there is no limit to our ability. Not only that, but we also have \$500,000,000 in silver in the United States Treasury on which to issue silver certificates.

It is the firm belief of many thinking people that we should have both gold and silver money as a metallic basis; and then let us have a sufficient amount of it in circulation to carry on the business of the country, and we shall be a happy and prosperous Nation again.

Four fifths of the nations of the world are today using the single silver standard of money and one fifth the gold standard. The United States is the greatest silver-producing nation in the world and has to buy the most of its gold, except what is mined in Alaska. If we are to establish a world trade, which we must have, then it seems imperative that we have a double standard of money in order that we may deal with the foreign countries with relation to the money it uses.

Agriculture will never come to its proper place and be protected as it should until we get on a double standard of money. The greatest single agricultural product produced in the United States is cotton. Let us take that as an example and show you how the gold standard we have been forced to remain on for a number of years has affected the price of cotton.

Let us take, for example, India and China—and the same argument is applicable to every other country—and show you how the money question has affected our cotton. India and China, as you know, are on the single silver standard of money. Prior to the recent agitation of silver the amount of silver that was in the silver dollar of those nations was only worth a fraction over 25 cents under the gold standard. So when they came to America to buy our cotton, under the gold standard they were required to bring four silver dollars to buy one dollar's worth of our cotton. In other words, they paid 20 cents per pound for cotton and the man producing it got 5 cents. That is the thing that has crushed the life out of the American farmer, and besides that it has forced India and other countries to go to growing cotton that never would have produced it had it not been for this condition. Prior to the war they were growing a little over 6,000,000 bales of cotton in foreign countries, and now they are growing twelve and a half million bales. They grow an inferior cotton of short lint. It is not profitable to them to grow it. When we get back to a double standard of money, where they can buy a dollar's worth of cotton with a dollar of their money, then they will quit raising cotton altogether and the United States will have a market for all the cotton it can grow.

Under the gold standard this could never be true, and we could never have a foreign market for all the cotton we produce. We hope to see before the close of this session of Congress some mandatory measure that will compel the use of a reasonable percentage of both gold and silver as a money basis.

The trouble now is we have no money in circulation. Enough money may be coined and in the banks and trust companies and lock boxes to carry on the business of the world if it were in circulation, but there is less money in circulation now than has ever been before. There is no common sense in trying to run a Government and carry on business without a medium of exchange that really circulates and creates employment for people who work.

Another bill passed by this House, and we hope will soon pass the Senate, authorizes the President of the United States, on proper information obtained through the Tariff Commission and other sources, to make reciprocal trade relations with other countries and reduce or raise the tariffs as may be necessary in each case not exceeding 50 percent. With this power properly administered there is no question that we can soon establish a reciprocal trade relation with the great nations of the world and never again have a

stagnated business as we have had for the last 2 or 3 years, years.

Another bill passed by this House, and which is now pending in the Senate, is known as the "Dies bill", that provides for taking over our surplus agricultural commodities and selling them to these silver-using countries and taking silver in exchange for the agricultural commodity. If this bill passes and is properly administered a year from now, we would not have any surplus that would hold down the price of cotton.

The legislation coming from the Committee on Agriculture, in my opinion, passed by this administration, has been more helpful than any other legislation to give relief that the country has had. Cotton has gone down to around 5 cents per pound; something had to be done to save this commodity, because it is the principal money crop of the United States Government. A farmer could not grow it at that price. They had nothing for home needs and were almost depressed to the point of giving up. I am glad I have had some humble part in drafting and passing the bills that we have had affecting our agricultural products. We now have cotton to a price of more than 12 cents per pound, and unquestionably with the legislation recently passed we can reasonably expect a price of at least 15 cents per pound for every bale of cotton marketed this fall. Then, with other legislation that is now contemplated and in the making and that will likely be passed during the next Congress, we hope to see cotton stabilized at a price of around 20 cents per pound; and when that is done, we will have an era of prosperity in this country that has not been witnessed in many a year.

Another act that has been passed during this administration that has been exceedingly helpful is the Home Owners' Loan Corporation Act. When we began a study of this question, we found that the homes of the United States were mortgaged more than \$20,000,000,000.

There is no better evidence of good citizenship than the ownership or a desire to own a home which one can call his castle and feel free that he may have a continued abiding place.

The first bill passed by the Congress on this subject was a guaranty on the part of the Government for the interest alone. My contention was then that the Government should have guaranteed both principal and interest, and I have contended for that all the while. This session we have passed a law amending the act whereby the Government guarantees both the principal and interest and gives the home owner a chance to redeem his home from mortgage.

The next thing that confronted the administration was the question of the farm-loan debt. The farms of the United States are today mortgaged for around nine and a half billion dollars. We have established a Federal land bank, which has not functioned as it should, and which has been entirely unsatisfactory in meeting the pressing demands for relief against farm mortgages.

We have passed during this administration an act authorizing the extension of \$2,000,000,000 credit for the refinancing of mortgage debt. This only relieves a part of the distress along this line. There are several bills pending that would relieve this condition.

The Frazier bill proposes to refinance the debt over a period of 40 years, 1½ percent for interest and 1½ percent for retiring the debt. Some object to this bill, saying it is too long a time to be in debt. I have introduced a bill, and it was first introduced in 1932, which provides for the refinancing of all the mortgage indebtedness of farms at a rate of interest not exceeding 3 percent. In other words, that the debt within a 10-year period would be paid off, and we would then have our lands free.

I believe, with the increased price of agricultural products, we could easily get out of this condition in that period of time. If not, we could then again refinance for whatever time was needed.

This administration has also corrected the deplorable situation existing in our banks. Banks were failing everywhere, and persons having deposits were losing the earnings of

their life. During this administration we have passed a bank guaranty law, and we now have, it is said, the soundest banking system and law we have ever had, and we hear nothing now about bank failures and will not hear of it, I hope, in the future. It restores confidence of the people in the banks and the banks in the people, and we certainly hope they can soon begin to extend their helping hand in creating industry and employment by the loan of their funds and which we must have before we can accomplish much.

One of the rocks ahead of us, unless we change our course, is that of nontaxable interest-bearing bonds on the part of this Government. The United States Government today is paying around \$760,000,000 a year interest on bonds that it has issued. These bonds should be called as rapidly as they are callable and paid off in United States currency, which can now be issued without any question at all, and stop this debt. They did not pay gold for the bonds, they paid currency; and we should give them the currency and take up the bonds and save that interest to the Government.

We will at the rate we are going, within another year or two, be paying out about one third of the taxes received by the Government to big bondholders that are making their millions.

We passed a few days ago a very important bill regulating the stock exchange, which will in the future guarantee to traders the right to invest their money in stocks with some degree of safety and security. The manner in which it has been carried on in the past has been absolutely ridiculous. If the bill passed a few days ago had been the law in 1929, the bottom would never have fallen out of the stock market, and the condition brought on by it would never have occurred.

If this bill is passed by the Senate and signed by the President, we will then have an exchange business carried on in a legitimate way where capital can be invested.

Another important work of this administration was the act of the House a few days ago in passing the 10 bills in 1 day for the regulation of crime in the United States as is sponsored by the Attorney General, Hon. Homer Cummings. Organized crime should never be allowed to exist. Of course, as long as we have people, we will have them violating the laws; but when it comes to the point of organized crime in the United States, organizing for the sole purpose of robbing banks, kidnaping people, and committing the high crimes that are being committed now, it is high time that the Government should rise up in its might and put a stop to it. With the power given under these acts to the Attorney General and to the Department of Justice forces, and in addition to the States' enforcement of laws, the crime wave prevailing in the United States should cease.

There are many other acts that have passed during this administration that I do not have time to mention. Taking it as a whole there has never been a year of administration where so much wholesome legislation has been passed as there has been in this administration. It is true that the country is not yet in a normal condition, but it is far superior to what we found it a year ago, and I think within another year our prosperity will be fully restored.

THE MILITARISTS THWART IN PART THE PRESIDENT'S AMNESTY PROCLAMATION

Mr. FOULKES. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. Is there objection?

There was no objection.

Mr. FOULKES. Mr. Speaker, I wish to call attention to a huge injustice that is being done many men who opposed the war and who were entitled, in the spirit of the President's amnesty proclamation last Christmas, to restoration of citizenship. The military clique that was all along bitterly hostile to the Presidential amnesty, has evolved a new way to thwart to considerable extent the execution of his intentions.

I quote in part from an article in the May issue of the Arbitrator, published in New York City, in which this excerpt is published from a letter from Brent Dow Allison, a writer,

who was one of the war-time conscientious objectors and was imprisoned at Fort Leavenworth:

My name was mentioned in the dispatch (in the Chicago Tribune) as being among those to receive the benefit of the amnesty. Not long thereafter, made by long experience skeptical, I began a correspondence with the Department of Justice and with the President's private secretary. * * * The amnesty did not and does not apply to any of the C.O.'s who were seized and sentenced by military authorities, and who, by reason of the court-martial verdicts, are deemed (by the Army) to have been deprived of civil rights. The overwhelming majority of the C.O.'s were not considered to have lost their civil rights, having been sentenced for various military offenses ranging from refusal to pare a potato when commanded to do so to insubordination, refusal to salute. A few, a few score, were convicted of desertion. This is considered to be a felony and to carry loss of all civil rights. These men have never been able to get the discrimination removed, nor their cases reviewed by any judicial process. * * *

I am in receipt, recently, of a letter from the Adjutant General of the Army, Brigadier General McKinley, containing the astonishing statement that "There is no authority of law whereby any executive officer of the Government can revoke, recall, set aside, or modify the duly executed sentence of a general court martial." * * * None of the C.O.'s who were sentenced by the military courts have ever been restored to civil rights, or had these rights restored to them by Presidential order.

May I say to my colleagues in the House of Representatives, as well as to the citizenship of the entire country, that this statement of a military official is a most astonishing and preposterous one? General McKinley says that no executive officer of the Government can alter the sentence of a court martial. I wonder if General McKinley does not know that the President of the United States has a right to pardon any man convicted of any Federal offense, and has done so on various occasions? Certainly the military oligarchy that wants to dominate everything and that is perpetually thirsting for another war is not bigger than the President. The implied assertion that the President must kneel before any general court martial in the land and cannot pardon and restore to citizenship men convicted by such courts is both comic and tragic.

The fact remains, however, that the Army is refusing to consider the President's amnesty proclamation of last Christmas when he restored citizenship to 1,500 war-time offenders as not applying to men who were convicted of such offenses by military courts. The man who was convicted of violation of the draft law or the espionage law in a civilian court is full beneficiary of the just and meritorious proclamation of President Roosevelt. The other man who had the misfortune to fall into the clutches of a court martial and be tried by men engaged in the war profession is deprived of the same privileges.

How contradictory! How absurd! How viciously unfair and un-American!

It is time that the military caste is taught that it is not above the Constitution, the President, the people, and the inherent rights of human beings generally.

Not only because a pronounced injustice is being done many war objectors who are the victims of an artificial distinction, but because the whole Nation is fed up on militarists and militarism and wants good riddance of them, action should be taken to insure that all war objectors—the fortunate section that was lucky enough not to be snatched by courts martial—enjoy the benefits of the President's Christmas gift of restored citizenship.

INTERESTING INFORMATION IN REGARD TO VETERANS AND THEIR DEPENDENTS AFFECTED BY RECENT LAWS AND REGULATIONS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, in compliance with requests of many veterans and Members of Congress, I have prepared a statement showing how each class and group of World War and Spanish-American War veterans and their dependents were affected by laws and regulations during the past 14 months, and their present status.

The answer to practically every question that may be asked in regard to veterans' legislation will be found in this statement. No argument in favor of or against any class

or group of veterans or their dependents is intended. It is my desire to quote the facts and the law fairly and impartially.

Since this statement has been prepared in the interest of individual veterans and their dependents and no effort has been spared to make it accurate, I ask any veteran or other person who may find in it any errors either of facts, law, or conclusions to communicate with me immediately so that I may make the necessary correction, and before it is printed in pamphlet form.

The titles and numbers of the paragraphs are as follows:

1. Veterans and the Economy Act.
2. President's assurance.

WORLD WAR VETERANS

3. Most vulnerable cases prior to Economy Act.
4. So-called "Economy Act" passed and regulations issued.
5. Benefits restored prior to July 1, 1933.
6. Benefits restored prior to March 28, 1934.
7. Independent Offices appropriation bill for 1934-35.
8. House amendments.
9. House and Senate agree.
10. Differences between Congress and the President.
11. Present status of World War veterans and their dependents.
12. Points to be remembered in connection with present laws and regulations involving World War veterans.

SPANISH-AMERICAN WAR VETERANS

13. Effect of Economy Act on Spanish-American War veterans.
14. Veterans 62 years of age provided for.
15. Three types of pensions under new law.
16. Dependents under new law.
17. New dates for war period.
18. Philippine insurrection.
19. Boxer rebellion.
20. Willful misconduct cases excluded.
21. First regulations too rigorous.
22. Congress extends provisions in compromise.
23. Widows provided for.
24. President's veto message.
25. Seventy-five percent restoration.
26. Federal employees.
27. Service pension reinstated.
28. President's regulations increased benefits.
29. Reinstatement of those not dishonorably discharged.
30. Old and new laws.
31. Present status of Spanish-American War veterans, 90 days' service, and dependents.
32. Present status of Boxer rebellion and Philippine insurrection veterans.
33. Present status of Spanish-American War veterans, 70 days' service, and dependents.
34. Interesting points in regard to Spanish-American War veterans.

IN GENERAL

35. World War veterans, Spanish-American War veterans, and peace-time soldiers—number.
36. What discussion includes.

1. VETERANS AND ECONOMY ACT

It was recognized that there were many cases on the compensation and pension rolls that could not be justified. Many Members of Congress preferred to purge the pension rolls of the undeserving cases rather than pass an act that would cause the question of veteran benefits to become one of administration and not legislation. I will admit that the task would have been a difficult one and there is much to be said in support of the argument that it would have been impossible and that the course pursued was the only one that could be used to get results.

2. PRESIDENT'S ASSURANCE

The President assured Congress and the veterans that each case would be gone into for the purpose of preventing an injustice. After the Economy Act passed, the President changed his regulations in 41 instances in the interest of the veterans; he had done much more for them than they, themselves, realized before the passage of the independent offices appropriation bill at this session of Congress. I have always been convinced in my own mind that the President desired to deal sympathetically and generously with the war disabled and their dependents. He had his own opinion about whether some of the cases were really service connected and his opposition to a service pension is well known.

3. MOST VULNERABLE VETERANS' CASES

Among the cases most frequently objected to and criticized prior to March 20, 1933, were the following:

First. Soldiers who did not enlist until after November 11, 1918, receiving benefits as war veterans. Only one rate of pay was provided for World War service-connected disabilities, regardless of whether they were actual combat disabilities, disabilities incurred during war time, or disabilities incurred during peace-time service, and regardless of whether the enlistment was before or after November 11, 1918, provided it was before July 2, 1921.

Second. Veterans without dependents drawing full compensation and at the same time receiving hospitalization at a cost of \$120 a month to the Government, and a few wealthy veterans receiving hospitalization from the Government for disabilities in no way connected with their military service.

Third. Presumptive cases, administrative and statutory: There were 154,000 of them; about 100,000 were otherwise service connected, 51,213 were on the rolls because the law said if a certain disability arose within a certain time after the service—in some cases 7 years—it was presumed that the service caused it. In certain cases this presumption was conclusive and not rebuttable. The President contended, in effect, that this was not common-sense legislation.

Fourth. Willful misconduct cases: They were receiving pay as battle casualties in addition to hospitalization and other benefits. The number involved was small, and among them there were pitiful cases with ameliorating circumstances that could be justified, but as a class they were very vulnerable and all veterans' benefits criticized by reason thereof.

Fifth. Retired emergency officers were receiving from \$106 to \$416 a month if they were rated 30 percent or more permanently disabled. An enlisted man would receive only \$30 a month for such 30-percent rating, and not exceeding \$100 a month if his rating were 100 percent. In addition they were permitted to receive hospitalization free from the Government for non-service-connected or service-connected disabilities.

Sixth. Partial disability pension for an injury or disease in no way caused or aggravated by military service: The disability allowance cases which were paid \$12, \$18, and \$24 a month were included in this group.

4. SO-CALLED "ECONOMY ACT" PASSED

March 20, 1933, the so-called "Economy Act" became a law. Regulations promulgated effective July 1, 1933, (1) rerated the service-connected cases; (2) removed the presumptive cases from the pension rolls, except where they could show actual service connection; (3) removed the dependents of veterans who had service connection by presumption of law from the pension rolls pending proof of service connection; (4) denied veterans the right to secure hospitalization at Government expense for non-service-connected disabilities if they were financially able to provide it for themselves; (5) reduced to \$15 a month the compensation of a veteran who was in a hospital as long as he remained there (if he had dependents he would receive \$15 a month and his dependents the remainder as long as he was in the hospital); (6) eliminated from the pension rolls all disability allowance cases except the 100-percent totally and permanently disabled who were in need and reduced their allowance to \$20 a month; (7) greatly restricted hospitalization except for service-connected disabilities; (8) reduced to the same pay as enlisted men for the same disabilities the retired emergency officers who could not establish the causative factor for the disability involved; (9) reduced to \$6 a month the pension of a non-service-connected veteran while receiving hospitalization at Government expense (if he has dependents he receives \$6 a month and his dependents the remainder so long as he remains in the hospital); (10) barred payment or restricted the amount of pension payable to Government employees with certain exceptions and applied to all cases for non-service-connected pension an income limitation; (11) eliminated willful misconduct cases from the pension rolls but allowed them hospitalization; (12) and removed from the rolls as war veterans those who did not serve until after the war had ended.

5. BENEFITS RESTORED PRIOR TO JULY 1, 1933

By July 1, 1933, the time all reductions and eliminations were to take place, the President had either decreed by regulation or consented to be enacted into law the following changes:

First. Widows and other dependents of the presumptively service connected were restored 100 percent without any reduction whatsoever.

Second. All presumptive cases were given a day in court; special boards were set up and the burden of proof placed on the Government to show beyond a reasonable doubt that such disabilities were not traceable to service during the World War, or the cases would remain on the pension rolls. These cases were continued on the rolls at 75 percent of the old compensation rate until decision was made by the special boards.

Third. Service-connected reductions were restricted to 25 percent of the amount being paid prior to March 20, 1933; the average reduction was about 21 percent.

Fourth. The totally and permanently disabled, their disabilities in no way connected with their military service, were increased from \$20 a month to \$30 a month.

Fifth. Hospitalization benefits were liberalized.

6. BENEFITS RESTORED PRIOR TO MARCH 28, 1934

Prior to the passage over the President's veto of the independent offices appropriation bill March 28, 1934, the President, by regulations, had given these veterans additional benefits as follows:

First. Restored the rates to all service-connected veterans. The only difference being under the new schedule of ratings many veterans received less than under the old; at the same time, some received more than they did under the old schedule.

Second. Hospitalization benefits fully restored to all honorably discharged veterans, regardless of service connection, if in need of hospitalization and financially unable to provide it. Also included transportation to and from the hospital for either service- or non-service-connected disabilities.

Third. The 29,258 presumptively service-connected cases that were stricken from the roll by the special boards were retained with the privilege of receiving 75 percent of what they had been receiving until their cases were finally passed on by the Board of Veterans' Appeals.

7. INDEPENDENT OFFICES BILL FOR 1934-35

This bill was passed by the House January 12, 1934. It did not contain additional benefits for veterans, except such benefits as had been given to them by the President's regulations. Under the rules of the House, an amendment proposing additional benefits was not in order, as it would be an attempt to place legislation in an appropriation bill. Such an amendment was in order under Senate rules, and the Senate amended the bill so as to include the following:

First. Restored by law all service-connected cases to 100 percent of what they were receiving prior to March 20, 1933. (This had already been done measurably by the President in his regulations, but the Senate amendment gave them the additional benefit of the old schedule of ratings.)

Second. Restored by law all hospitalization benefits. (This had already been done by the President in his regulations.)

Third. Restored all the presumptives to 100 percent of what they were receiving prior to March 20, 1933, but allowed the Government to show either of the following and remove them from the pension rolls:

(a) That veteran entered service after November 11, 1918.

(b) That clear and unmistakable evidence discloses that the disease, injury, or disability had its inception before or after the period of active service, unless aggravation in service is shown.

(c) That case was established by fraud, error, or misrepresentation of material facts.

All reasonable doubts to be resolved in favor of the veterans, the burden of proof being on the Government. (The President by regulation had restored these cases pending

final appeal by allowing 75 percent of amounts formerly received.)

Fourth. Cases of veterans who did not enlist until the war was over were restored.

Fifth. Willful-misconduct cases were restored.

Sixth. Retired emergency officers that had been stricken off the roll as such and reduced from \$106 and \$416 a month to the same pay as enlisted men for the same disabilities were restored.

8. HOUSE AMENDMENTS

The House refused to accept the Senate amendments, which restored the willful misconduct cases (except as to the blind), the after-war cases, and the Retired Emergency Officers. It also amended the Senate amendment in regard to presumptives so that those cases restored to the rolls will receive 75 percent of what they were receiving instead of 100 percent. The House agreed to the other Senate amendments.

9. HOUSE AND SENATE AGREE

The House provisions prevailed and the conference report was accepted by each House, March 26, 1934. The bill was sent to the President and by him vetoed. March 27, 1934, the House, and, March 28, 1934, the Senate passed the bill, the objection of the President to the contrary notwithstanding.

10. DIFFERENCES BETWEEN CONGRESS AND THE PRESIDENT

There were only two material differences between Congress and the President on the legislation in this bill affecting World War veterans; they were, (1) the rating schedule; the President had included in his regulations a rating schedule which would base the veteran's average impairment of earning capacity resulting from such injuries in civil occupations, whereas Congress restored the old rating schedule, which bases the average impairment of earning capacity in the civil occupation similar to that of the veteran at time of enlistment, and (2) the 29,258 presumptive cases; a careful analysis of what Congress enacted into law and what the President had recommended and given by regulation fails to disclose a great difference.

It was reported that the additional veterans' cost in the bill amounted to \$228,000,000 a year. This was a mistake and has been corrected many times, but it is still being reported as a fact. No informed person contends that the additional cost will amount to as much as 25 percent of \$228,000,000 annually.

11. PRESENT STATUS OF WORLD WAR VETERANS

Since changes have been made in veterans' laws, every World War veteran is entitled to the following benefits:

First. If suffering from a disability traceable to the service during war, he is paid from \$10 to \$100 a month, depending upon disability, pre-war occupation, and so forth; also additional amounts under certain conditions. If his death is caused by such disability, his widow and other dependents receive a pension from the Government.

Second. Entitled under certain conditions to receive hospitalization and medical care for service-connected or non-service-connected disabilities; also transportation to and from the hospital.

Third. If indigent and disabled, entitled to live in a Government soldiers' home. Transportation will be furnished if veteran unable to provide it.

Fourth. If served 90 days, honorably discharged, and is permanently and totally disabled, regardless of cause, except misconduct, may receive from the Government \$30 a month, if not in hospital or soldiers' home; in that event, \$6 a month. If he has dependents, he receives \$6 a month and his dependents the remainder so long as he remains in the hospital or home.

Fifth. Certain preferences and advantages in obtaining positions with the Government; the privilege of carrying Government insurance under certain conditions; preferences in obtaining homesteads and adjusted compensation.

Sixth. Burial allowances including headstones, regardless of length of service.

Seventh. Any honorably discharged veteran may be buried in any national cemetery, including the Arlington Cemetery

at Washington. The wife of an officer may be buried prior to his death and in a separate grave. The wife of an enlisted man may be buried in the same grave but only after the burial of the veteran, except where he is 70 years of age or over and gives assurance that he will be buried in the same grave.

12. POINTS TO BE REMEMBERED IN CONNECTION WITH PRESENT LAWS AND REGULATIONS INVOLVING WORLD WAR VETERANS

A veteran of the World War is one who served between April 6, 1917, and November 11, 1918. Under prior acts of Congress, which have been repealed, a veteran was construed to be one who served between April 6, 1917, and July 2, 1921. Under present laws one who enlisted after November 11, 1918, is not considered a veteran of the World War and is not entitled to benefits of such veterans, but is entitled to only such benefits as a peace-time soldier is entitled to receive.

Veterans who formerly received \$12, \$18, and \$24 a month under the disability allowance law will not receive these benefits under present laws. The only non-service-connected disability that is recognized under present law is the total and permanent cases. They may receive \$30 a month as long as they are permanently and totally disabled, regardless of their age and regardless of the cause of their disability—except misconduct—and are not required to show need, further than to show an annual income not in excess of \$1,000 if single and not in excess of \$2,500 if married.

Any veteran may receive advice, counsel, and assistance in regard to his case by a contact man, who is paid by the Government, at every hospital and every regional office. The contact man will help the veteran by suggesting the kind of evidence that will be necessary to assist him in his case, assist him in preparing all the necessary forms, and do such other things as may be necessary to the proper presentation of his case to the Veterans' Administration.

Many veterans ask the question: "I have submitted all the proof I can and have been turned down; what shall I do now?" Of course, every question involving expenditure of public funds must be determined by some person, court, board, or tribunal. Someone must have the responsibility of passing upon the sufficiency of the evidence presented to authorize the payment of public funds. It is the same way in regard to civil rights. If one brings suit against a person, firm, or corporation for damages to person or property, certain proof must be presented to the court and the jury in order to win. Although the injured person feels that he has presented sufficient proof, if the court or jury decides against him he can appeal his case, and if the higher courts affirm the judgment there is nothing further for him to do; he has lost. A veteran may be given another trial by the Government if he can show error in the decision or submit additional evidence from the appropriate service department. He is precluded from obtaining a reconsideration of his claim after a decision has once been reached by the Board of Veterans' Appeals.

Pensions and benefits are made in accordance with actual laws and regulations and not through favoritism, "political pull", or other means.

The Government allows \$100 in payment of the funeral expenses of an honorably discharged veteran of any war or a veteran in receipt of pension or compensation, provided his net assets at time of death exclusive of debts, accrued pension, compensation, or insurance due at time of death do not equal or exceed \$1,000. A flag to drape the casket is furnished in all cases where the veteran was honorably discharged, and the flag is given to the next of kin after burial.

A World War veteran, who is in the employment of the Government and is receiving compensation for a service-connected disability, will not have his compensation reduced. Neither will he have his compensation reduced by reason of any amount of income from any source.

A widow of a World War veteran who died of a service-connected disability is entitled to \$30 a month, and \$10 for the first child and \$6 a month for each additional child. Children may continue to draw compensation until 21 if in school or college, otherwise it is stopped at the age of 18.

The father and mother dependent upon a World War veteran who died of a service-connected disability may receive \$30 a month from the Government. If only one is receiving compensation, the amount is \$20 a month.

A widow of a World War veteran who died of a non-service-connected disability is not permitted to receive a pension from the Government.

If a veteran deserts his wife without cause on her part, she may receive 30 percent of his compensation or pension and an additional amount for each child.

Children, motherless or not in charge of the mother, deserted by a veteran, may have a part of his compensation set aside for their benefit.

A service-connected World War veteran may receive only \$15 a month while he is confined in a Government hospital or in any institution that is supported by public funds, including State and county hospitals or penal institutions, such as jails and penitentiaries. The dependents of such a veteran, however, may receive the difference between the \$15 and the amount of his compensation.

A non-service-connected World War veteran who is totally and permanently disabled and receiving \$30 a month will have his compensation reduced to \$6 a month so long as he may be confined in a hospital or institution supported by public funds, but his dependents may get the difference between the \$6 and \$30.

In order for a World War veteran to receive hospitalization from the Government it is necessary for him to show:

First. That he is a veteran of the World War.

Second. That he was not dishonorably discharged.

Third. That he has no funds out of which to pay for hospitalization at a private institution—an affidavit from him to that effect is sufficient.

Fourth. That he is suffering from a disease or injury requiring hospital treatment.

No dispensary treatments are allowed at hospitals except for service-connected cases.

Any disability wherein an operation is required is considered sufficient for hospitalization.

The disability allowance law was a service pension law for World War veterans. Many people, including many veterans, had the feeling that it was enacted too soon after the war to receive the approval of the public generally. Veterans in no other war had received a service pension so soon after the war was over. This law, except as to the totally and permanently disabled, was repealed and has not been reenacted. It involved almost 400,000 veterans.

13. EFFECT OF ECONOMY ACT ON SPANISH-AMERICAN WAR VETERANS

Prior to the enactment of the Economy Act of March 20, 1933, there were two principal types of laws which governed the granting of pensions to Spanish-American War veterans and their dependents. One of these was the so-called "general" pension law which provided a pension ranging between \$8 and \$30 a month, depending upon the rank of the veteran, for service-connected death or disability, with rates as high as \$125 to veterans for certain specific disabilities. The other was the so-called "service" pension law which provided a pension ranging between \$20 and \$72 a month, depending upon degree of disability or age. It was not necessary to prove service connection in order to be eligible for a service pension. They were granted primarily because the person had served 90 days or more in the military or naval service during the Spanish-American War, including the Boxer rebellion and Philippine insurrection, was honorably discharged and had later become disabled or reached the age of 62 years. Pensions at lower rates were payable to those who had served only 70 days. Inasmuch as the rates under the service pension laws were generally higher than those based on service-connected disability or death, it was customary for pensioners to elect to receive benefits under the "service" pension laws rather than the "general" law. On March 19, 1933, there were on the rolls the following number of pensioners of the Spanish-American War:

Veterans:	
Service connected.....	458
Nonservice connected.....	195,387

Dependents:	
Service connected.....	1,244
Nonservice connected.....	37,929

14. VETERANS 62 YEARS OF AGE PROVIDED FOR

At the time of the passage of the Economy Act it became apparent that under the broad powers which Congress was about to delegate to the President of the United States it would be possible to remove from the rolls all persons receiving a service pension based on service in the Spanish-American War unless such persons could prove service-connected disability or were then permanently and totally disabled. In order to safeguard the interests of Spanish-American War veterans past the age of 62 years, who were then entitled to pension, Congress added a proviso to the pending measure whereby these men would be retained on the pension rolls.

15. THREE TYPES OF PENSIONS UNDER THE NEW LAW

The Economy Act provided for a continuation of pension benefits in accordance with prior laws until July 1, 1933. At that time rates under the new law and regulations were to take effect. An exception was made, however, in the case of Spanish-American War veterans whereby a presumption of service connection was granted until such time as the veteran's case could be reviewed. At that time, if it appeared on the basis of medical judgment or affirmative evidence that the disability was not service connected, the pension was to be discontinued.

The new law provided for three types of pensions, as follows:

(a) Those based on service-connected, war-time disability. These rates ranged from \$8 to \$80 a month, with special rates up to \$250 for certain specific disabilities.

(b) Those based on service-connected, peace-time disability. These rates ranged from \$6 to \$30 a month, with special rates up to \$125 for certain specific disabilities.

(c) Those based on non-service-connected disability. Only war veterans and their dependents were eligible for this class of pension. A Spanish-American War veteran, if permanently and totally disabled, would be entitled to \$20 a month. If 62 years of age or more, he was granted a pension of \$6 a month, if he was entitled to a pension prior to the date of the Economy Act, even though he was less than permanently and totally disabled.

16. DEPENDENTS UNDER NEW LAW

The new law granted Spanish-American War widows \$30 a month if the death was service-connected and based on war-time service, \$22 a month if the death was service-connected and based on peace-time service, and \$15 a month if the death was nonservice connected but the decedent was a Spanish-American War veteran. An additional amount was awarded for minor children. (Remarried widows received pensions under prior laws. They are excluded under existing laws.)

17. NEW DATES FOR WAR PERIOD

At this point it should be explained that the regulations issued pursuant to the Economy Act prescribed new dates for the beginning and termination of the various wars. Under the old practice any person who served between April 21, 1898 (the date of the declaration of War with Spain) and April 11, 1899 (the date of the treaty of peace) was considered a veteran of the Spanish-American War. The new law and regulations restrict the period so that the ending date is August 12, 1898, the date of the peace protocol and the date when hostilities actually ceased. For this reason many veterans and dependents who previously drew pensions based on war service are no longer eligible on this basis inasmuch as the soldier enlisted after August 12, 1898. They are, however, eligible for peace-time pension if suffering from a service-connected disability. In making a comparison of the rates payable to widows and dependents under the old laws and under the Economy Act, it may be said that there were individual changes up and down, as will be shown by the following table which gives the average monthly rate paid prior to the economy act and subsequent thereto:

Average rate prior to Mar. 20, 1933 (service connected).....	\$20.36
Average rate after Mar. 20, 1933 (service connected).....	25.59
Average rate prior to Mar. 20, 1933 (nonservice connected).....	32.08
Average rate after Mar. 20, 1933 (nonservice connected).....	15.77

18. PHILIPPINE INSURRECTION

The old dates of the Philippine insurrection were April 12, 1899, to July 4, 1902, and any person serving in the military or naval service during this period was considered a veteran of the Philippine insurrection, and pension was payable at war-time rates. The new regulations describe the period as being between August 13, 1898, and before July 5, 1902, but actual participation in the insurrection is required for payment of pension on the basis of war service. This restriction is based on the thought that the Philippine insurrection did not constitute such a national emergency that those members of the military or naval service who were on the mainland and were never called into actual duty in suppressing the insurrection should later be given the benefit of pensions based on war-time service. Pensions are payable, however, at peace-time rates for service-incurred disabilities. This new provision affected 12,177 pensioners who had previously drawn service pensions based upon service in the Philippine insurrection.

19. BOXER REBELLION

There has been practically no change in the dates of the Boxer rebellion, the old commencing date being June 16, 1900, the new date being June 20, 1900. The ending date is the same under both old and new laws, viz, May 12, 1901, and actual participation has been continued as a requirement for war service.

20. WILLFUL MISCONDUCT CASES EXCLUDED

There is one other important change in the new policy with respect to Spanish-American War pensions which should be mentioned here. Under the old law a veteran suffering from a non-service-connected disability due to misconduct could nevertheless receive a service pension. The new law denies pension in these cases. This provision has affected 781 persons.

21. FIRST REGULATIONS TOO RIGOROUS

It became apparent within a short time after the original veterans' regulations were issued that they were too rigorous, that they went further than was intended, and that they would result in unnecessary hardship. Accordingly, before the new rates went into effect the President issued new Executive orders liberalizing pension rates. The war-time rate for total disability was increased from \$80 to \$90 a month, and there was an increase in certain special rates. The peace-time rate for total disability was increased from \$30 to \$45, with an increase in certain special rates. The rate for non-service-connected permanent total disability was raised from \$20 to \$30, and the special pension for Spanish-American War veterans past the age of 62 years was generally increased from \$6 to \$15 a month.

22. CONGRESS EXTENDS PROVISIONS IN COMPROMISE

Believing that the saving clause, whereby 62-year-old Spanish-American War veterans were retained on the rolls, was not as extensive as it should be, Congress, under date of June 16, 1933, in the Independent Offices Appropriation Act for the years 1933-34, provided that a pension of \$15 a month would be paid to any Spanish-American War veteran 55 years of age or over who served at least 90 days, was honorably discharged, in need, and is now 50-percent disabled. This resulted in placing on the rolls 83,000 additional veterans, at an annual increased cost of \$15,000,000. On January 19, 1934, the President further liberalized this provision by eliminating the age requirement. Accordingly, from that date any veteran of the Spanish-American War, Boxer rebellion, or Philippine insurrection who was unable to qualify for pension at a higher rate, if 50-percent disabled, could receive a monthly pension of \$15.

At the time this order was issued the rates for service-connected war-time pension were also increased so that the amount for total disability became \$100 instead of \$90. This was much in excess of the corresponding pension under the old law.

23. WIDOWS PROVIDED FOR

In order to be sure that no hardship would be imposed upon the widows of men who served in the periods under discussion, this order also provided that if any widow was receiving less money under the new law than she would be eligible for under the old law for service-connected death, she would be reinstated at the old rate, but not in excess of \$30 a month. This regulation benefited a number of widows of higher ranking Army officers who were reduced under the terms of the new regulations.

24. PRESIDENT'S VETO MESSAGE

When Congress passed the Independent Offices Appropriation Act for 1934-35 containing liberalized veterans' benefits, the President stated in his veto message the reasons why he was opposed to the legislation and indicated certain action which he was taking in the way of liberalized benefits. With regard to Spanish-American War veterans, he proposed the following plan:

First. Restoration to the rolls of those veterans who in 1920 were receiving pensions for service-connected disability, pension to be payable at the new higher rates. (The so-called "service" pension law was not enacted until June 5, 1920. Prior to that time it was necessary to establish title to pension under the "general" pension law.)

Second. Restoration to the rolls of other Spanish-American War veterans at 75 percent of the amount they were receiving prior to the Economy Act pending a final determination of service connection in each veteran's case before the Board of Veterans' Appeals.

This action which was promulgated in the form of an Executive order on March 27, 1934, was not acceptable to Congress which insisted upon its plan as contained in the veterans' provisions of the Independent Offices Appropriation Act.

25. 75-PERCENT RESTORATION

The new law restores 75 percent of the pension being paid on March 19, 1933, the day before the Economy Act was passed, to any veteran of the Spanish-American War, including the Boxer rebellion and the Philippine insurrection, and to the dependents of any such veteran, except where the veteran is hospitalized and except in willful misconduct cases. Where payment was made through fraud, error, or misrepresentation such pensions will not be restored. If a pensioner is not exempt from payment of Federal income tax, he is ineligible for pension. With these restrictions, and the further limitation as to dates and requirements of war service as prescribed by veterans' regulations, all laws in effect prior to the Economy Act granting monetary benefits to veterans of the Spanish-American War, Boxer rebellion, and Philippine insurrection are reenacted in their entirety.

26. FEDERAL EMPLOYEES

There is an additional restriction which applies only to veterans of the Spanish-American War in Federal employ. In these cases he cannot receive a pension in excess of \$6 a month if his salary, if single, exceeds \$1,000 a year, and if married \$2,500.

27. SERVICE PENSIONS REINSTATED

The effect of the new law is to reinstate the old "service" pensions, subject, of course, to the limitations just described.

28. PRESIDENT'S REGULATIONS INCREASED BENEFITS

Inasmuch as the highest rate for war-time service-connected total disability under the old pension law is \$30 a month and the corresponding rate under the President's regulations is \$100, and inasmuch as the highest special rate under the old law is \$125 a month as compared with \$250 under the regulations, most veterans will be paid the greater benefit under the regulations rather than the rate allowed by the Independent Offices Appropriation Act.

29. REINSTATEMENT OF THOSE NOT DISHONORABLY DISCHARGED

An honorable discharge was not necessary for service-connected pension under the old laws. If a veteran suffering from a service-connected disability has been taken off the rolls by reason of the Economy Act which requires an honorable discharge he may now be reinstated at 75 percent of

the pension he formerly received subject to the restrictive provisions of the new law. This does not apply to deserters.

30. OLD AND NEW LAWS

If a pension is adjudicated under the old pension laws which have been reenacted by the Independent Offices Appropriation Act, the criteria in evaluating disability will be inability to perform manual labor rather than average impairment of earning capacity.

The veterans' regulations provide liberal presumptions with respect to service connection of disability. These presumptions do not exist under the old laws. Accordingly, the Economy Act and regulations will offer an advantage which the Independent Offices Appropriation Act does not.

The new law enlarges the group of Spanish-American War veterans entitled to hospitalization and domiciliary care by removing the requirement of honorable discharge. If the veteran was not dishonorably discharged, he is entitled to hospitalization and domiciliary care, and his statement as to inability to pay traveling expenses for treatment of non-service-connected disability will be accepted as sufficient proof of the fact.

31. PRESENT STATUS OF SPANISH-AMERICAN WAR VETERANS WITH 90 DAY'S SERVICE

Since changes have been made, every veteran who served 90 days or more commencing between April 20, 1898, and August 12, 1898, during the Spanish-American War and not dishonorably discharged, is entitled to the following benefits:

First. If suffering from a disability traceable to the service during the war, he is paid from \$10 to \$100 a month, depending upon disability, etc. If his death is caused by such disability, his widow and other dependents receive a pension from the Government. The widow receives \$30 a month, with \$10 additional for first child and \$6 for each additional child.

Second. Entitled to receive hospitalization and medical care for either service-connected or non-service-connected disabilities; also transportation to and from the hospital.

Third. If indigent and disabled, entitled to live in a Government soldiers' home. Transportation will be furnished by the Government, if he is unable to provide it.

Fourth. If permanently and totally disabled, regardless of cause—except misconduct—may receive from the Government \$45 a month; and if in need of an attendant, \$54 a month.

Fifth. If partially disabled, regardless of cause—except misconduct—he is entitled to receive the following monthly benefits:

(a) One-tenth disability, \$15; one-fourth disability, \$18.75; one-half disability, \$26.25; three-fourths disability, \$37.50. Regardless of disability, but if 62 years of age, \$22.50; 68 years of age, \$30; 72 years of age, \$37.50; 75 years of age, \$45.

(b) A widow of such a veteran will receive \$22.50 a month and \$4.50 for each child.

Sixth. Certain preferences and advantages in obtaining positions with the Government and preferences in obtaining homesteads.

Seventh. Burial allowances for veterans of all wars regardless of length of service.

32. BOXER REBELLION AND PHILIPPINE INSURRECTION

Anyone who actively participated in the Boxer rebellion or Philippine insurrection is entitled to the same benefits as a 90-day Spanish-American War veteran. His widow and other dependents are entitled to the same benefits.

33. SPANISH-AMERICAN WAR VETERANS WITH 70 DAYS' SERVICE COMMENCING DURING THE WAR PERIOD

These veterans are entitled to the same benefits and allowances as the 90-day Spanish-American War veterans, except for non-service-connected disabilities. They are entitled to the following benefits:

First. If permanently and totally disabled, regardless of cause—except misconduct—may receive from the Government \$22.50 a month and, if in need of an attendant, \$37.50 a month.

Second. If partially disabled, regardless of cause—except misconduct—he is entitled to receive the following monthly benefits:

(a) One-tenth disability, \$9; one-fourth disability, \$11.25; one-half disability, \$13.50; three-fourths disability, \$18. Regardless of disability, if 62 years of age, entitled to \$9; 68 years of age, \$13.50; 72 years of age, \$18; 75 years of age, \$22.50.

(b) Widows and other dependents of these veterans are not entitled to benefits, except in a case where the veteran was discharged by reason of disability.

34. SPANISH-AMERICAN WAR VETERANS—INTERESTING POINTS

A Spanish-American War veteran is one who served between April 20, 1898, and August 12, 1898. Others who did not serve during that time but actively participated in the Philippine insurrection or the Boxer rebellion are entitled to the same benefits as a Spanish-American War veteran.

Such a veteran may receive a pension for disabilities not connected with his military service even though his disability is not total and permanent.

The same law in regard to the reduction of his pension to \$6 a month if in a hospital or institution supported by public funds applies as in the case of World War veterans. Also a reduction to \$15 a month in service-connected cases.

These veterans are entitled to the same benefits in regard to hospitalization, domiciliary care in soldiers' homes, and burial benefits as World War veterans.

A widow of such a veteran receives \$22.50 a month if her husband died of a non-service-connected disability; she receives \$30 a month and the same allowances for minor children as World War widows if her husband dies of a service-connected disability.

35. NUMBER OF VETERANS AND DEPENDENTS ON ROLLS BEFORE AND SINCE ECONOMY ACT

The following table discloses information that I have received from the Veterans' Administration in regard to the number of veterans and their dependents.

Column 1 represents the number that was drawing compensation or pension on March 19, 1933, prior to the Economy Act.

Column 2 represents the number drawing compensation or pensions on March 31, 1934, and not including the additional number affected by Public, No. 141, the independent offices appropriation bill, passed over the veto of the President March 28, 1934.

Column 3 includes the number now on the rolls and that will be restored to the compensation and pension rolls when they have received the full benefits of Public, No. 141, of March 28, 1934.

	Column 1	Column 2	Column 3
World War veterans:			
Service connected.....	338,544	308,978	329,853
Nonservice connected (D. A.).....	425,894	33,152	32,320
Peace time, service connected.....		10,374	9,991
Retired emergency officers.....	6,037	1,527	1,517
Total.....	770,475	354,131	373,631
Dependents of service connected.....	101,542	100,039	100,039
Total, veterans and dependents.....	872,017	454,170	473,720
Spanish-American War veterans, including Philippine insurrection and Boxer rebellion veterans:			
Service connected.....	458	6,212	6,212
Nonservice connected.....	195,387	117,861	174,388
Total.....	195,845	124,073	180,600
Dependent:			
Service connected.....	1,244	1,598	1,598
Nonservice connected.....	57,929	31,091	33,302
Total dependents.....	39,173	32,689	34,900
Total veterans and dependents.....	235,018	156,762	215,500
Grand total of all veterans of Spanish-American War, World War, and their dependents.....	1,107,035	610,932	689,220

The 10,374 listed as peace-time veterans enlisted after November 11, 1918, and before July 2, 1921, and were formerly considered World War veterans. Recent acts have permitted a few of them, including the blind and certain

presumptives, to be restored to veterans' benefits, thereby reducing the number to 9,991.

The number of disability allowance cases estimated to be put on the roll appear to be less than the number on the roll March 31, 1934. This is not due to Public, No. 141, but is due to adjudication and administration.

This table does not include special acts of Congress. The number in that class is small.

A peace-time soldier for disabilities traceable to his service receives about one half as much for such disability as a war-time veteran receives. Only service-connected disabilities are recognized by the Government in peace-time cases.

36. WHAT DISCUSSION INCLUDES

This information is intended to cover the subject in a general way by including references to such benefits as may cause the expenditure of a large sum of money and without any intention of being specific, going into details, covering exceptional cases or including groups affecting only a comparatively small number of veterans.

AGRICULTURE

Mr. PEAVEY. Mr. Speaker, 1933-34 has been a hard time for the dairymen and diversified farmers. Prices for nearly all farm crops went down to the lowest level in 25 years. Due to the operations of the N.R.A. and general recovery program prices on manufactured goods the farmer buys were raised to meet increased labor costs and shorter hours, all of which added to the burdens of the farmers and other consumers.

The dairy farmers' situation has been difficult in all sections of the country during the past 2 years and added to the normal burdens were 2 years of drought in northern Wisconsin which forced many farmers to the point of desperation.

Early in January several associates in the House and I, went with Senators LA FOLLETTE and DUFFY to the office of Secretary Wallace for a conference. We told him the facts and appealed for immediate emergency appropriations of \$300,000,000 with which to buy up the surplus butter and cheese and raise prices. Butter was then selling in New York at 19½ cents wholesale. Secretary Wallace was receptive but felt he was helpless because no appropriations were available for this purpose. He suggested that we confer with Harry Hopkins, Director of the Federal Emergency Relief Administration. We did and appealed to Hopkins to double the Government's purchase of milk, butter, and cheese for those on relief. Mr. Hopkins responded nobly and immediately placed orders for the purchase of millions of pounds of surplus butter and cheese and as a result butter went to 26 and 27 cents in New York and has held there.

The raise was not enough, but it helped every Wisconsin dairyman at a critical time.

Passage of the Frazier-Lemke bill to provide refinancing of farm indebtedness on a basis of 1½-percent interest and 1½ percent on the principal would help Wisconsin farmers greatly to meet the economic disparity between the farm and factory. The principal argument made in opposition to the Frazier bill is that the Government, under the terms of the bill, is directed to finance the farmers by issuing new money.

The Government has more than seven billions in gold in the Treasury and Federal Reserve banks at this time; more than enough in addition to the five and one-half billion already issued to provide for the issuance of currency in an amount necessary to finance the Frazier bill and to provide a 100-percent gold base.

Democratic and Republican leaders are combined against the bill. Nearly 140 of the 145 signatures necessary to bring the bill up for a vote had been obtained when Democratic leaders at the suggestion of President Roosevelt prevailed upon 9 or 10 Members to erase their names from the petition. Every effort is being made by progressives in the House, led by Representative LEMKE, of North Dakota, to get the bill up for a vote before Congress adjourns.

I was no. 27 to sign the petition, I believe. The administration leaders are bitterly opposed to the bill being acted upon at this session.

One of the prime difficulties in reaching a solution of the dairy farmers' situation in Washington is that the dairymen are hopelessly in disagreement among themselves as to the character of legislation necessary to solve the problem. I have in the past 3 months attended more than a dozen conferences between farm and dairy leaders and Members of the House and Senate. Not one of these conferences could agree on a legislative program or bill to meet the situation. That is why I voted for the tariff bill. If Congress will not legislate to put agriculture on a parity with industry, then let President Roosevelt lower the Hawley-Smoot tariff rates in protection of industry on everything the farmer has to buy.

TARIFF

The House passed a tariff bill a few weeks ago by a vote of 272 to 111. The purpose of this bill is to give the administration power and authority to negotiate reciprocal trade agreements with other nations and to give the President authority to raise or lower existing rates by 50 percent. The bill was amended so as to prevent foreign-debt cancellations or settlements in conjunction with the tariff. It was also amended to limit its authority to 3 years.

Pursuant to the campaign pledges contained in the Republican national platform in 1928 that tariff rates would be revised to place agriculture on a parity with industry, Herbert Hoover convened Congress in special session in April 1929 for the purpose of carrying out the party's campaign pledge.

This is what happened. Political pressure from big industry and national Republican leaders prevented Hoover from fulfilling the campaign pledge. Congress reconvened in December 1929 after the first stock-market crash. In the meantime the powerful industrial and manufacturing influences, aided by the New York financiers and Andrew W. Mellon, in control of the Republican Party, coerced Congress into adopting schedule after schedule in the Hawley-Smoot tariff bill giving industry extortionate rates of protection and thereby increased the disparity between agriculture and industry. This is what the Hawley-Smoot bill did to the people on the farms in the Western States. The people in Wisconsin have been paying tribute ever since. Every time a farmer bought a plow or a seeder or his wife bought a dress or a broom they were made to pay tariff to the manufacturers, while the price of agricultural products since the passage of the Hawley-Smoot tariff bill have gone down to the lowest level in recent history.

I am a Lincoln Republican. I believe in a protective tariff and the theory underlying the tariff of paying an American scale of wages to insure an American standard of living.

The only way that agriculture can be put on a parity with industry at the present time, in my opinion, is to reduce the high tariffs given industry on everything the farmer has to buy. It is true the farmers were given protection under the Hawley-Smoot bill, but they cannot collect or realize on this protection because they cannot control their production or fix their sale prices.

Secretary Wallace is seeking to make the tariff effective to the farmer by the commodity-allotment plan and control system, to be paid through the medium of a process tax. I hope he succeeds, but I doubt the outcome. On the other hand, industry, large industry and monopolized industry, can and does control both production and sale price, and as a result those industries are exacting high prices from the American consumers who are to a large extent the American farmers and working men.

This is the first opportunity the Congress has had to vote on any measure that would offer hope that these extortionate tariff rates on steel, iron, aluminum, and textiles under the Hawley-Smoot bill might be reduced. Hoover let the tariff barons run wild in writing the schedules. He did not have the "guts" to stand up and fight them. He gave in to them. Members of Congress like myself who voted for the new tariff bill the other day hope and expect that President Roosevelt will have the backbone to defy the demands of those special-privilege seekers of high tariff rates and that

he will lower some of the rates which are so high as to not only keep out foreign competition but exact extortionate rates from the American farmer and consumer. That is why I voted for this bill.

Old Guard Republicans in the House yesterday voted with the regular Democratic wheelhorses to kill the Couzens amendment to increase income taxes a flat 10 percent. The vote was 282 to 77 on a standing vote to reject the Couzens amendment. Progressives on both sides of the aisle tried to get the necessary Members to stand up to force a roll call, but without success.

Friends of the Couzens provision wanted the amendment to provide additional revenue to finance the heavy relief measures that will be necessary for another year or two, if the unemployed and destitute are to be clothed and fed. Local and State funds for relief are in many States completely exhausted.

Senator LA FOLLETTE's amendment providing for full publicity remains in the bill, as well as a 3-cent tax on imported oils used as food substitutes in butter and lard. This provision is of particular interest to Wisconsin dairymen. The House originally voted a 5-cent tax on imported oils, but the Senate cut it to 3 cents.

The bill as passed provides an estimated revenue of \$417,000,000. This provides ample funds to pay the disabled soldiers and Government employees the raises voted by Congress in overriding the veto of the President in the independent offices appropriation bill.

WAR AND PEACE

The House in February passed the Vinson naval appropriation bill providing for the construction of 105 new war vessels and 1,100 new airplanes. When Congress has finished with the Army and Navy bills, appropriations and authorizations in the amount of \$1,400,000,000 for national defense and war preparations for the year of 1935 will have been made.

This is more money than is being spent by any country in the world for war preparation at this time.

Japan is going to build more battleships. England is spending \$8,000,000 more for her army this year than she did last year. France and England alike are embarking on a program of bigger and better navies, and the United States is setting the pace with her appropriation of \$1,400,000,000 for 1935.

"Big navy" groups are about to take off on an armament race that bids fair to surpass the most ambitious militaristic plans of the past. The Kaiser was a "piker" by comparison. The most startling angle of this race, however, is developed in the statement of Japan's Minister of the Navy that Japan must build more warships in view of the action of the United States House of Representatives in the passage of the Vinson bill appropriating \$750,000,000 for warships.

Committee hearings during the present session of Congress on appropriation bills for the Army and Navy, particularly in the aviation divisions of these two departments of government, have revealed profits for private concerns out of the Federal Treasury that amount almost to extortion. Airplane companies profited on Government contracts for several years past as high as 36 percent. The Department of Justice is inquiring into the sale of surplus Army goods to private individuals, another transaction wherein Uncle Sam is alleged to have taken a tremendous loss.

These investigations bring to mind some of the profits made by private concerns during the World War. United States Steel during the period from 1916 to 1918 made profits in excess of 50 percent. Bethlehem Steel in 1917 paid a 200-percent dividend.

The Congress is becoming more vigilant and alert in these matters. The House adopted an amendment to the naval appropriation bill providing for the construction of one half of the ships provided for in the bill to be done in Government navy yards, and by another amendment limited profits to private contractors building Government vessels to 10 percent.

These precautions should make for peace if the findings of a committee of the League of Nations a few years ago

were accurate. This committee presented evidence to the League showing that private manufacturers of munitions and armaments instigate war scares, stimulate armament races by false stories of other nations' degrees of preparedness, and organize international armament trusts which play one country off against another.

NYE COMMITTEE

The Senate last month passed the Nye resolution creating a committee of five Members of the Senate to investigate the activities of individuals and corporations in the United States engaged in the manufacture and sale of arms and munitions and to inquire into the desirability of creating a Government monopoly.

Senator BORAH, speaking on the floor of the Senate on March 5, said:

No treaty, no law made by man or God, controls munitions' manufacturers.

A few years ago our country with fanfare and trumpets announced the signing of the Kellogg Peace Pact, under the terms of which we agreed with the other civilized nations of the world not to resort to war to settle any dispute which might arise. The Kellogg Treaty outlawed war. Yet in 1934 Congress authorizes and appropriates \$1,400,000,000 to build and maintain warships, soldiers, airships, and armaments.

Few Wisconsin people have any conception of the actual cost of war implements, armaments, and devices. I wish to illustrate by recording just a few.

First. It cost \$4,000,000 for oil to fuel the American fleet in its journey from the Atlantic to the Pacific this last winter. It is taking another \$4,000,000 to bring it back.

Second. Machine guns of the kind used by the American Army cost \$640 each.

Third. The French 75-mm field gun we all learned about in the World War costs around \$8,000 each.

Fourth. The new Christy tanks used by our Army cost over \$25,000 each.

Fifth. A large caterpillar tank costs upwards of \$80,000 each.

Sixth. Military airplanes in the United States cost from \$6,000 for light scouting planes to as high as \$100,000 for a heavy bomber.

Seventh. A naval cruiser costs as high as \$11,000,000 and a battleship as high as \$40,000,000.

Those are just a few of the reasons why wars cost money. It shows the tremendous saving that can be effected by maintaining world peace.

In view of the Roosevelt administration's protestations for world peace, reduction of armaments, and friendly negotiations of trade agreements, Members of Congress as well as the people of the country wonder just where the administration is going. Past history records not a single instance of any great nation that ever spent such huge sums on war preparations without getting into a war. It is true that some four hundred million of the fourteen hundred million mentioned above is just an authorization, but it is the experience of the Congress that such authorizations are taken by generals and admirals in charge of national defense as a direction from Congress, and the money is eventually appropriated.

LABOR

The urgency and importance of discarding the last remnants of the depression and taking a new and wiser course to prevent a return of the devastating conditions which have prevailed for the past 3 years is reflected in the legislation which has been sponsored in this session of Congress by the various labor organizations of the country.

The 21 standard railway labor organizations are firmly supporting the following bills before the House and Senate: Federal train limit bill, introduced by Representative WITHROW, Wisconsin, providing for a limitation of the number of cars to each train.

Full train crew bill, introduced by Representative GRISWOLD.

Amendments to the Federal Employers' Liability Act, introduced by Representative MEAD, which would fix the liability of railway companies for injuries to employees.

Six-hour day bill, introduced by Representative CROSSER of Ohio, providing for a 6-hour day or 42-hour work week for all railway employees.

Amendments to the Railway Labor Act providing for prompt disposition of disputes between carriers and their employees, introduced by Representative CROSSER of Ohio.

Amendment to the Federal hours of service law reducing hours on duty from 16 to 12, introduced by Representative CROSSER of Ohio.

Retirement insurance for railroad employees, known as the "Wagner-Crosser bill."

The 6-hour day bill, introduced by Representative CROSSER of Ohio will come before the House under a discharge petition, offered by Representative WITHROW, of Wisconsin, unless Congress adjourns before the measure can be reached under the rules. Today there are 143 signatures attached to the petition. Only 145 are needed. I was no. 8 to sign the petition.

The retirement insurance bill for railroad employees which has been caught between the cross fires of the railway organizations and the association of railroad employees under what is known as the "Royster plan" is being rewritten in committee under a compromise agreement between the two factions.

Unfortunately the Committee on Interstate and Foreign Commerce does not contemplate taking action on any of the other railroad bills listed at this session.

Probably the most important measure in Congress in protection of labor is the Wagner-Connery labor disputes bill now before the Committee on Labor. This bill has for its fundamental purpose a plan to encourage capital to operate and insure labor its right to organize and thereby exercise its liberty of contract to secure a just reward for labor performed and to preserve a decent standard of living.

Recently a petition was laid on the Speaker's desk to discharge the Committee on Labor from further consideration of the bill and bring it to the floor for a vote at this session of Congress. Representative CONNERY, author of the bill in the House, soon after the petition was placed on the desk appealed to the Members to refrain from signing the petition, stating he was in constant communication with the White House on the measure for the purpose of bringing it up for consideration at the best time. The general sentiment prevailing is that the administration is opposed to the measure and that it will not be considered at this session, unless consideration is forced by discharge of the committee.

This resolution contains nothing of economic or political value to the colored race. Its purpose is to give colored people the right of being served in the House dining room on an equality with Members of the House, their families, and friends. For 12 years under Republican control and management the House restaurant was operated under exactly the same policy as it is today; Negroes were not allowed to eat in the Members' restaurant. The author of this resolution came to Congress March 4, 1929. He was here for 2 years under Republican control of the House and its restaurant. Under Speaker Longworth and the Republican chairman of the committee in charge of the restaurant, Mr. Underhill, exactly the same policy was carried on with regard to serving in the House restaurant as is being done today under Mr. WARREN. I think Representative WARREN as chairman of the committee in charge of the House restaurant is to be commended for following the established policy as to serving only Members, their families, and guests in the restaurant. Every Member of this House knows that Representative WARREN has administered his position as Chairman of the Committee on Accounts ably, honestly, and efficiently. He has been courteous, frank, and fair with every Member of this House at all times. The passage of this resolution is in itself a reflection on his administration. The House advances a form of censure when by every rule of justice and reason a vote of commendation is due.

To agitate and raise this technical question of racial rights for political purposes at this time is wrong and responsibility for this vote will at some future date rise up to plague

every man who has voted for it. This is no time to agitate racial or religious questions.

I am a friend of the common people, whether they be Caucasian, Indian, or Negro. I work and vote consistently in their behalf. My mother was raised in an orphanage because my grandfather gave his life to preserve the Union and abolish slavery. That terrible conflict was brought on by just such agitation as that contained in the DE PRIEST resolution. Knowing the author as I do I cannot believe that he would intentionally disrupt the friendly association of the Membership of this House in its use of the House restaurant, but if this resolution is to be of any force and effect that is bound to happen, in my opinion.

I am opposed to any bill or resolution that has for its principal purpose the raising of a religious or racial issue. This is not the time or is the National Capitol the place to start an internal turmoil over a constitutional right involving nothing more substantial than the right of a few aristocratic colored people to eat in the same room with Members of the House of Representatives and their families.

That we are all free and equal under the Constitution is conceded. That this concession gives any of us the right to intrude our presence on others regardless of whether they are white or colored, is contrary to the American idea.

Representative DE PRIEST, Republican, of Illinois, the author of this resolution, has, I understand, been served in the House restaurant with the same attention given other Members. He now seeks by resolution to insure this same social privilege to all other colored citizens whom he may invite. Under the guise of securing a constitutional right, what Representative DE PRIEST seeks for his colored friends is a privilege based on social position. This involves wealth, education, common tastes, and family traditions, over which neither the Constitution nor Congress has any power to bestow.

During the Republican regime in the House, the gentleman from Illinois [Mr. DE PRIEST] introduced no resolution denouncing this policy, nor did he complain. Why has it all at once become a burning political issue? Is it because this is campaign year and the gentleman has a large colored population in his district? That may justify him in introducing such a resolution, but I cannot feel that that would in any way justify me in voting for it. That may be good Republican politics in the district of the gentleman from Illinois, but I am sure the voters in my district in Wisconsin would not approve of it.

With 10,000,000 men still unemployed, with nearly 2,000,000 still on relief, with millions of white and colored farmers alike hopelessly in debt, does the gentleman from Illinois believe that he is advancing good Republican doctrine to raise the issue of whether his colored visitors at the Capitol are served with the white Members on the second floor or in their own dining room on the first floor?

THIRD PARTY IN WISCONSIN

Mr. Speaker, you ask me if I intend to join the third party. My answer is I fail to see where the formation of a new party will in itself accomplish a single thing in behalf of the farmers, workers, or business men in my congressional district.

Tom Amlie made my office his Washington headquarters last winter. Ever since he was defeated for renomination for Congress from the First District at the last election he has tried repeatedly to sell me the new-party idea. I like Tom personally. I admire also the other half of the La Follette "brain trust" at Madison, Professor Groves. Both Amlie and the professor are able parlor intellectuals. They both admit it. But I cannot follow them on what appears to me to be a wild goose chase to bag Wisconsin first and then the Nation politically. I just do not think it can be done. Such a course seems to me visionary and extremely doubtful as to direct benefits and actually vicious and disastrous in that it will eliminate and destroy the representation and influence that Wisconsin progressives or liberals now wield in the State and Nation. I am unable to follow their political reasoning. Two years ago they ran on the same ballot with

me as progressive Republicans. They were defeated in the primary. They then espoused the Democrats who, to the surprise of themselves and the whole State, were elected. Both men sought appointments in the Roosevelt administration. They did not get them. Now they want a third party. Again I confess I am unable to follow them.

What about the rights and interests of the people of Wisconsin? Unless they can show me where the political and economic conditions of the people of Wisconsin and my district will be improved, I cannot go along. Platforms and campaign promises are plentiful and easy to make, but my people want jobs and something with which to buy food and clothing and with which to pay their taxes. Last election after the primary they openly advocated the election of Democrats. This year they seek to divide the progressive Republican voters before the primary. Such a course may be expedient, but it does not square with progressive principles, and it is too devious as to method and nebulous as to results for me to understand or undertake.

Millions of destitute workers and farmers as well as distressed business men need honest, fair, and practical government as they never did before. A third-party program under these conditions, it appears to me, is a bolt to rule or ruin the progressive cause.

I believe in the American theory of representative government. On May 15 I submitted to over 600 progressive leaders and workers in the 14 counties of my congressional district the question of a third party. Two hundred and four have replied to date. Fourteen of these favor a third party, 181 are opposed to a third party, 9 were neutral.

My list to which I sent the questionnaire includes all of the known progressive Republicans of my district. It includes five or six of the advocates of a third party at the Madison conference in March.

It matters little who the new-party leaders may be or how good their platforms may read; the obvious fact remains that no leader or new party can accomplish much for the distressed people of Wisconsin unless such political leader or party can garner enough votes to be elected to office.

I believe in representative government and that we should let the people rule. I feel compelled, therefore, to recognize the expressed wishes of the overwhelming majority of the progressive Republicans of my district. After all, it does not matter so much what happens to progressive leaders in the coming election. They are but individuals and must accept their political fate regardless; but what about the thousands of unemployed, the distressed farmers, soldiers, and home owners, and other citizens? Every progressive or liberal representative who is lost to them in the legislature and Congress at this time means that their life and economic future will be so much harder. The welfare and rights of these people are involved in this election. Their rights should not be gambled away on the false hope that some progressive leader or two may win a grand prize. It was the loyal work of men like GEORGE NORRIS, LA FOLLETTE, FRAZIER, and CUTTING, supported by the progressive Republicans in the House for the past 20 years that made the new deal possible. It will take some more progressive Republican brains and energy to put it on a sound basis and eliminate the petty graft and favoritism that now permeates the new deal administration.

CONTROL OF LIQUOR TRAFFIC

The SPEAKER. Under the special order for today the gentleman from California [Mr. HOEPEL] is recognized for 15 minutes.

Mr. HOEPEL. Mr. Speaker and Members of the House, last Sunday our Nation was united in paying homage to the motherhood of America. In my remarks here I wish to urge the enactment of laws and the adoption of a progressive program which, fostering improved economic, social, and moral conditions and the development of a cleaner, more responsible citizenship, would be an everlasting tribute and memorial to the power and influence for good exercised by the mothers of America.

I recognize that the question I propose to discuss is one of a highly controversial nature, and I wish to be as impartial as possible in my remarks. Because my time is limited, I hope that the gentlemen will refrain from questioning me until I conclude.

I had the pleasure recently of hearing an address delivered by the Honorable Homer S. Cummings, the Attorney General, in which he described crime as a national problem and recommended the enactment of a number of prohibitory laws enlarging the police powers of the Federal Government.

Crime is indeed a national problem and in its relation to the liquor question it can best be solved, in my opinion, by national control rather than by prohibitory legislation. Instead of enacting laws to punish the individual, we should enact laws which would aid him in remaining a law-abiding and self-respecting citizen.

It is noted in the press of yesterday that the Attorney General is asking for a war chest up to \$3,000,000 to equip the Government, even to the purchase of armored cars, for the suppression of crime. In the same issue, on the same page on which this information appears, we find that New York State is returning to the saloon and the brass rail. It should appear to any thinking individual that the policy of enacting legislation on one hand to combat crime and on the other to enact legislation to create incubators of crime is indeed unfortunate and ill advised from a practical standpoint. What we need in America today, instead of increased appropriations for law enforcement and the return of the open saloon, is a moral and spiritual awakening of our people. We should have more honesty on the part of our public officials and the leaders in big business, with less greed and unconcern on the part of these officials where the interests of the common people are involved.

Aside from monetary control and the extension of credit by our own Government direct to the people at a low rate of interest, it is my opinion that no question confronts the American people so important and far reaching in its application and potentialities as the question of liquor control. Will we Members of Congress take note of the statements made by Joseph H. Choate, Jr., Director of the Federal Alcoholic Control Administration, who has pointed out some very pertinent reasons why the bootlegger thrives and why the results of repeal are assuming aspects even more deleterious to the individual and more alarming in their contribution to our crime problem than the conditions which characterized legal prohibition days?

Unfortunately, he lists as remedy no. 1 increased appropriations for enforcement, which, in my opinion, is the same fallacy advocated during the days of legal prohibition. He does, however, stipulate that legal liquor should be cheaper in order that it may compete with the bootleg liquor. By this indirect comparison, he confesses the inefficacy of our present laws.

As an individual, interested in temperance, it is nauseating to me to find the windows of drug stores and myriad other businesses filled to the ceilings with wines and liquors of a high alcoholic content which any degenerate may purchase as he will. The recent murder of two men here in the city of Washington by an inebriated negro, without any apparent provocation whatever, is, in my opinion, an indirect responsibility of the Congress.

Mr. ZIONCHECK. If the gentleman will yield, the intoxicated colored man admitted that he had a glass of Coca-Cola, in which 24 aspirin tablets were dissolved.

Mr. HOEPEL. That is what the Whisky Trust always says when anything occurs against their industry.

Mr. ZIONCHECK. I object to being called a "Whisky Trust."

Mr. HOEPEL. The unrestricted sale of liquor, with the increasing number of accidents and infractions of law traceable to its unbridled use, is becoming a national menace, just as is the unrestricted sale of firearms to who-soever has the price.

It was hoped that repeal would eliminate the politician and the profiteer from the liquor business but such appears

to be far from true in practical application. The inordinate profits accruing to the liquor industry, despite the bootlegger's competition, can best be indicated by the amounts expended in embellished labels, fancy containers, and high-pressure advertising in an effort to inveigle the American people into an orgy of drinking. For instance, a 16-page issue of a Washington paper recently carried more than four full pages of liquor advertising. With an advertising charge of \$316 per page, it is self-evident that the liquor business is perhaps the most prosperous in America today, despite the fact that 4,700,000 families are on the relief rolls and approximately 11,000,000 citizens are yet unemployed. Our newspapers are not to be censured for accepting this advertising, but, nevertheless, I feel that they would willingly forego this profitable business in the interest of eliminating bootlegging and its concomitant crime background and in lieu thereof, receive advertising from other legitimate businesses.

The liquor business should be nationalized. The only opposition which may arise to the nationalization of the liquor industry would be that from the Whisky Trust, which, according to reports reaching me, is very close to leading officials, elective and appointive, in government.

With C.W.A. workers, earning a mere pittance, walking directly into any of the myriad of liquor stores and paying as high as \$2 per pint for whisky, it is frightful to consider what may occur when the prosperity which we anticipate in the new deal is restored to us. Mothers and fathers are becoming increasingly apprehensive on this subject and we already sense a reaction against repeal taking place in our country, a reaction which I deeply deplore, because it will again pit individual against individual and bring to fruition a spirit of intolerance on this question.

Drys and wets—not including the profiteering, law-breaking wets and corrupt politicians—should cooperate for the nationalization of the liquor problem instead of renewing the age-old war of the wets and the drys. Both factions should recognize that liquor was with us even before the Ten Commandments, and it appears that it will be with us until the end of time or the hoped-for millenium. The drys have a perfect right to their own opinions, but after 12 years of disheartening experience with legal prohibition it would seem that, instead of resurrecting that nightmare and organizing to defeat legislators who differ with them, the drys should join with the temperate wets in the interest of solving this problem once and for all in the furtherance of temperance, in which appropriate control and the injurious effects of alcoholic indulgence may be taught.

While I have been in accord with the President in most of his experiments under the new deal, I am not willing to experiment further with the liquor problem. One noble experiment is sufficient for me. I do not believe in impromptu, ill-considered legislation on this subject. The candidates for Congress in the approaching election should, in my opinion, seek to learn the wishes of their constituents on this subject and should return to the Congress definitely resolved to enact some measure nationalizing the liquor industry. I am very hopeful that the drys will join with those who believe in real temperance, and that they will together use the political club to defeat any legislative candidate unless he will pledge himself to cooperation in correcting the abuses and the confusion resulting from 48 divergent State laws and the thousands of county and municipal laws on this subject.

We seem to have no misgivings in the Congress today toward enacting legislation giving to one man arbitrary power over the destiny of our people, as witnessed in the N.R.A. and other organizations in the new deal. In the matter of gold devaluation, we gave the Secretary of the Treasury absolute control over \$2,000,000,000 in gold. Why then should we quibble about turning over the national control of liquor to a nonpartisan commission?

No one questions the integrity of the Supreme Court of the United States; therefore I would suggest the appointment of a nonpartisan commission of seven or more members, appointed for a long tenure of service or for life. In

order that such commission may be truly representative of a cross-section of the Nation, I would suggest that 1 of these individuals be selected from the medical group, 2 from the religious, 1 from the scientific, 1 from organized labor, 1 from the agricultural groups, and 1 from the United States Chamber of Commerce, all of these individuals to be recommended to the President for appointment by their own respective groups and any vacancies occurring on such commission to be filled under the same procedure. This commission should be directly amenable to the Congress of the United States and its members subject to removal, with or without charges, only by a vote of two thirds of the actual membership of the Congress, not merely by two thirds of those present and voting.

The manufacture, distribution, and sale of all beer, wine, and liquor should be directly under the control of this commission. If the present licensing features of the N.R.A. do not permit this innovation, laws should be enacted to this effect. The profits of manufacture, if retained under private auspices, should be restricted to a reasonable return on the investment of the brewery, winery, or distillery. All Federal licenses on these products should be repealed and the surplus revenue, if any, resulting from such control should go into the Treasury of the United States. It was preposterous and ridiculous to me to find individuals advocating repeal because of the revenue which would accrue to the Government through the legalization of the liquor industry. This revenue is infinitesimal compared with the large expenditures, totaling into the billions, necessary in the suppression of crime traceable to drink, not to mention the distressing, heart-rending effects upon those who suffer indirectly because of crime and its kindred manifestations.

In the event it is decided that a profit should be made from the national control and sale of liquor, I would suggest that such profit be turned over to the respective States and Territories in proportion to the sale of liquor in such States and Territories, and that these funds be used solely for pensions to the aged and disabled.

While I readily appreciate the fact that the suggestions I offer here may not provide the panacea desired, I feel confident that the American people, if given the opportunity, could evolve a scheme of national control which would be iron-clad and workable.

In furtherance of my suggestions, I would reduce to the barest minimum the number of places where liquors of any kind could be purchased. I would make no restrictions whatever as to the amount any individual might purchase at any time, provided he had in his possession a permit issued by the local authorities under regulations established by the national commission, and I would not require registration of such sales.

National control will solve our liquor problem if anything can. The bootlegger will not compete if the Government is in control of the liquor industry any more than the counterfeit competes successfully with the Government in the sale of stamps or the making of money. The politician also would be deprived of his percentage or commission.

I wish to reiterate, however, that the bootlegger will never be removed as long as we continue to tax the industry, with which he is competing, by inordinate taxes. The tax on beer and light wines should be merely a regulatory tax and reduced to a minimum. Wine is, in fact, a food and is usually consumed with meals. Seldom do we see a man drinking a glass of wine at a standing bar. The recognition of this fact would lead to the development of the wine industry and contribute to our economic recovery through the employment of thousands of Americans and at the same time would have a tendency to wean drinkers from the use of heavy intoxicants.

In conclusion, I repeat that I consider the liquor question one of our most important problems because of the large amount of public funds which might be saved to the taxpayers through the proper control of the manufacture, distribution, and sale of liquor, resulting in a reduction of crime and its costly consequences. I have the utmost con-

confidence in the integrity and intelligence of the American people, and in the interest of the youth of America, I appeal to drys and wets to lay down their armor of combat and to extend the hand of fellowship and cooperation in order that this problem may be solved as expeditiously as possible in the furtherance of making the new deal a new deal for the restoration of the moral fiber of our citizens and the elimination of all the graft and evils which have centered in and which will always center in the private manufacture, distribution and sale of liquor. [Applause.]

[Here the gavel fell.]

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 5 minutes more.

Mr. O'BRIEN. Mr. Speaker, I object.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 1 minute.

Mr. O'BRIEN. Mr. Speaker, I object.

The SPEAKER. Under the special order of the House the gentleman from Texas [Mr. PATMAN] is recognized for 5 minutes.

RELIEF GRANTED BY GOVERNMENT TO DEPOSITORS OF CLOSED BANKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein an address that was made by Mr. O'Connor, Comptroller of the Currency, at Tulsa, Okla., a few days ago.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, under the leave to extend my remarks in the Record, I include the following address of Hon. J. F. T. O'Connor, Comptroller of the Currency, to the Oklahoma Bankers' Association, meeting in Tulsa, Okla., through special leased wire from Washington, D.C., May 9, 1934:

To the members of the Oklahoma Bankers Association, meeting in the Mayo Hotel in Tulsa this afternoon, I send greetings from the Nation's Capital.

Surely this is the age of magic, when the voice of a person in Washington is transmitted 1,500 miles to a meeting of bankers in Oklahoma. It is peculiarly fitting that these words should be delivered in such a mysterious manner to Tulsa—The Magic City.

Oklahoma, the forty-sixth State to enter the Union, is in many ways the most amazing of all in the United States. "Labor Conquers All Things" is your State's motto, and a better one could not have been chosen. For the people of Oklahoma are conquerors. They have conquered the earth, penetrated its most secret chambers, and there gushed forth millions upon millions of dollars of wealth in oil.

You bankers are interested in the banking situation in the United States, and it affords me a great deal of pleasure to be able to tell you that the general banking outlook in this country was never brighter.

It is only a little over a year ago since the banking holiday of March 1933—when every bank in the United States was closed by Presidential edict—but, already, most of the scars left by that wound have disappeared. The day after the banking holiday terminated—on March 16, 1933, to be exact—there were 1,417 national banks in this country which for one reason or another were not allowed to reopen, and these institutions had on deposit some \$2,207,964,000. By May 1, 1934, a period of less than 14 months, 1,232 of these 1,417 national banks had either been reopened, liquidated, absorbed by another institution, or placed in receivership.

This left 185 unlicensed national banks on the 1st of May, but, of these, 156, or nearly 85 percent, had received approved reorganization plans from the Comptroller's Department, so that they can be reopened just as soon as the terms of such approvals are fulfilled. There were only 29 national banks with disapproved reorganization plans on May 1, 1934, and their aggregate frozen deposits amounted to \$16,281,000.

This latter figure, you will note, represents less than three quarters of 1 percent of the \$2,207,964,000 in frozen deposits tied up in all unlicensed national banks on March 16, 1933.

In the State of Oklahoma there were 16 national banks which failed to receive licenses to reopen at the conclusion of the March 1933 banking holiday. Since that time—up to May 1, 1934—9 of these institutions have been reopened in one form or another, 5 have been placed in receivership, and 2 are still unlicensed. However, of the 2 still unlicensed, 1 has an approved reorganization plan. The one Oklahoma national bank with a disapproved plan of reorganization has but \$374,000 in frozen deposits.

Nothing has contributed more to the improved banking situation in the United States than the insurance of deposits, which went into effect on January 1, 1934. Under the provisions of the temporary-insurance plan now in effect, deposits in insured banks are protected in full up to \$2,500 per depositor.

At the close of business April 30, last, 13,984 banks in every section of the country held membership in the insurance fund. In these institutions, 55,956,783 accounts are insured; insured deposits amount to \$15,706,905,590 and total deposits aggregate \$38,356,701,979. The ratio of insured to total deposits is 41.09 percent.

As a result of the protection afforded by deposit insurance and the improved public psychology resulting from such assurance to bank customers, deposits have been increasing so far in 1934 throughout every section of the United States, hoarding has decreased sharply and there has been a complete absence of runs on solvent institutions.

The insurance fund is now in its fifth month of operation, and as these words are spoken, no insured bank has yet closed its doors. It is true that a small insured State bank in Pennsylvania has been placed on a restricted basis by the banking authorities, and will probably prove to be a claim against the resources of the Insurance Corporation, but in this instance the troubles of the restricted institution were due to defalcations. The depositors in this bank are covered practically 100 percent by deposit insurance and other guarantees.

The practical absence of failures so far this year presents a striking contrast to the record of former periods. During the 10 years, 1923 to 1932, inclusive, 3,141 banks failed in the United States in the first 4 months of such years alone, involving \$1,097,055,000 in deposits. The average number of bank failures in the months of January, February, March, and April only during these 10 years was 314, while the average amount of deposits involved was \$109,705,500.

In the State of Oklahoma 395 banks are enjoying the protection of deposit insurance. In these institutions 705,532 accounts are insured. Insured deposits aggregate \$108,810,567 and total deposits in such banks amount to \$287,273,273. The ratio of insured to total deposits in these Oklahoma institutions is 37.9 percent.

Besides the tangible effects of deposit insurance, the Federal Deposit Insurance Corporation, which administers the insurance fund, has put into effect rules, which, if their dollars-and-cents value cannot be determined, are equally helpful to the banking situation. These include regulations that banks which are members of the insurance fund cannot pay interest on demand deposits and can pay no more than 3 percent on time deposits. These rules prevent the careless banker from ruining himself and his institution by paying higher interest rates than his bank can afford.

A part of the public seems to have absorbed the idea that bank-deposit insurance will be terminated shortly. Nothing could be more incorrect. It is true that the temporary-insurance fund, now in operation, is scheduled to end on July 1, next, but this does not mean the end of this protection. A bill has been introduced in Congress—and it has been passed by the Senate—providing for the extension of the present insurance fund for 1 year to July 1, 1935. My confidence in the good judgment of the House of Representatives leads me to believe it will pass that body.

But bank-deposit insurance—in some form—will continue next year, and undoubtedly for all years to come.

However, it has been felt, and the directors of the Federal Deposit Insurance Corporation agree, that the present insurance—whereby deposits in insured banks are protected in full up to \$2,500 per depositor—should be continued for another year. Those who favor the 1-year extension contend—and it seems to me that their contention is sound—that the \$2,500 protection is adequate to take care of the average bank depositor, the little man. In addition, it gives the directors of the Federal Deposit Insurance Corporation another year in which to study the whole question of bank-deposit insurance, during which time they should be able to decide definitely just what changes, if any, should be made in the permanent-insurance fund to best serve the people's interest.

There has been much loose talk in various sections of the country that nothing has been done for depositors in closed banks, and that the cost of receiverships is so great that nothing is left for the poor depositors.

Both of these charges are untrue.

In reality, a remarkable record has been made in distributing dividends to depositors in closed banks, and no distinction has been made as between national and State institutions. Largely due to the efforts of the Deposit Liquidation Board, of which I am a member, the Reconstruction Finance Corporation has advanced to unfortunate depositors in closed banks the staggering total of \$785,000,000 to date. It has taken as security for such advances the assets of the closed banks. Of course, the amount actually distributed to depositors in closed institutions is much greater than the sum mentioned, since many banks have made collections and had cash on hand at the time they closed. Since March 16, 1933, there has been distributed in dividends to depositors in national banks \$475,806,742, of which sum \$123,994,380 was borrowed from the Reconstruction Finance Corporation. Here we account for over a billion dollars distributed through the Reconstruction Finance Corporation and the Office of the Comptroller of the Currency. Figures are not available to show the amount distributed by State institutions. The chairman of this special committee is Hon. C. B. Merriam, of Topeka, Kans., a director of the Reconstruction Finance Corporation. Mr. Merriam is one of the outstanding executives in Washington and has rendered a service in a quiet manner which has attracted the attention and won the approval of all of the leaders in the Capital City.

Considerable clamor has been heard urging that the Government repay in full the losses sustained by depositors in banks closed during recent years. There is little merit in the argument of those who propose this raid on the United States Treasury.

It is claimed by interests who would have depositors in closed national and Federal Reserve member banks repaid that such repayment fulfills the Government's implied guaranty of deposit safety in such institutions. But this is not true, since the United States Government has never declared or implied that it guaranteed deposits in these banks. Moreover, this would be a most hazardous responsibility for the Government to admit or accept. It would establish a precedent that might well be extended to any business activity over which the United States Government exercises any supervision, such as over the sale of alcoholic liquors, railroads, radio, and possibly to individual losses in the stock market, where the Government takes supervision thereof.

The most important thing to remember, in connection with this agitation for repaying losses sustained by bank depositors, is that, if these losses are to be made good by the Government, it will cost some \$2,000,000,000, possibly more, if all banks are included. Now, assuming that such a program is to be carried out, the money must come from somewhere. And that somewhere will be from the pocket of the individual taxpayer. If the taxpayers are willing to be assessed for this purpose, it will be a surprise, particularly since the greatest portion of the money that would be repaid would go—not to the poor man—but largely to a few people who already have above the average in wealth. Should an appropriation be made by Congress for this purpose, 44 percent of whatever sum is appropriated will be paid to one half of 1 percent of the depositors. The argument is sometimes made that people put money into the banks because of certain appeals made by ex-President Hoover and other high officials in the Treasury. The fact is that depositors took money out of the banks after these appeals were made. Congressman PATMAN, of Texas, pointed this out in a speech before the House of Representatives on April 26, 1934, when he said:

"It is contended that depositors were persuaded to deposit their funds in national banks by reason of the antioarding speeches made by President Hoover and Secretary of the Treasury Mills in February and March of 1932, which caused them to lose it. Let us consider the facts. The last report of deposits in national banks before these speeches were made was December 31, 1931. At that time the deposits were \$19,244,347,000. The next report after the speeches were made was June 30, 1932. The deposits had dropped to \$17,460,913,000. In other words, it seems that deposits decreased almost \$2,000,000,000 instead of increasing.

"Within 12 months after these speeches were made, the deposits in all banks had been reduced more than \$4,000,000,000."

The following figures should convince anyone that bank receiverships do not unduly penalize depositors: Between the date of the first failure of a national bank in 1865 to the close of business October 31, 1933, 1,155 national-bank receiverships were administered by receivers. Expenses incident to the administration of these 1,155 closed trusts—such as receivers' salaries, legal and other expenses—amounted to \$32,030,848. This represented merely 3.90 percent of the book value of the assets and stock assessments administered, while it was 6.66 percent of collections from assets and stock assessments. Over 93 percent of every dollar collected has been returned to the depositor. Assessments against shareholders averaged 67.97 percent of their holdings, and the total collections from such assessments as were levied were 49.47 percent of the amount assessed.

Great as has been the improvement in the banking situation since March 1933, it is my firm conviction that even greater gains will be shown in the years to come. Bankers, as well as other people, have learned much from the depression years and are not likely to repeat the mistakes of 1928 and 1929.

This country is indeed fortunate to have chosen so wisely at the election of November 1932. President Roosevelt is exceeding the prelection hopes and expectations of even his most ardent admirers. He is working night and day that this Nation may find the way to better and more prosperous days—not for the few, but for the many. Emulating his example, we should all strive to do our small parts to bring this hope to reality.

My friends, I am glad to have had this opportunity to speak to you from the Nation's Capital.

Mr. PATMAN. Mr. Speaker, I asked for this time to talk on the McLeod bill.

M'LEOD BILL

If this bill is enacted, and it includes only the banks closed on and after January 1, 1930, the Government will lose more than a billion dollars.

The following statement is self-explanatory:

Number of banks closed on or after Jan. 1, 1930	Reconstruction Finance Corporation advances	Recoveries	Loss to United States
1,581 national banks.....	\$575, 125, 304	\$257, 100, 216	\$318, 025, 088
281 State member banks.....	402, 679, 945	150, 998, 619	251, 681, 326
5,594 State nonmember banks.....	829, 494, 693	315, 989, 361	513, 505, 332
Total, 7,416 banks.....	1,807, 299, 942	724, 088, 196	1,083, 211, 746

The foregoing figures, of course, do not include any estimate for interest costs pending final liquidation.

WHO WILL GET THE BILLION DOLLARS?

Most of this money will go to the wealthy—people who are not in distress and are not entitled to public charity. One tenth of 1 percent of the depositors will get almost 50 percent of the deposits. One depositor will get \$32,000,000. If we owed these people anything, I would advocate its payment; but the Government does not owe them a penny. It is not right to say we owe the \$2,500 depositor but do not owe the \$32,000,000 depositor; if we owe one, we owe the other. If there are 1,001 depositors of a closed bank, one having on deposit \$2,500,000 and the other 1,000 having on deposit \$2,500 each, or \$2,500,000 in all, it will be neither right nor legal to pledge the assets of the institution to pay the 1,000 depositors and not pay the large depositor his proportionate amount. For the benefit of all depositors, large and small, I am glad that the Government is doing so much to aid them and to again make their banks going institutions.

WHY ARE STATE AND PRIVATE BANKS INCLUDED?

The Government had nothing to do with the supervision and operation of State and private banks. The policies of the Government in regard to monetary affairs did not affect them any more than they affected the railroads, insurance companies, building-and-loan companies, manufacturing industries, laborers, farmers, wage earners, and others. If Congress expects to pay depositors of national banks, State banks, or private banks on the theory that there was indirect supervision, control, or influence by the Government which caused the losses, it will set a precedent that will call for the payment by the Government of losses to holders of stocks or bonds of the concerns now receiving aid from the Government's Reconstruction Finance Corporation; the R.F.C. exercises some supervision over these institutions and much more control or supervision than the Comptroller of the Currency held over the national banks of the country.

OTHER INSTITUTIONS WILL BE INCLUDED LATER

Let us consider the different branches of commerce, industry, and agriculture that are being helped by the R.F.C., in order that we may have an idea of whom and for how much there will be an attempt to invoke this principle in the future, if it is enacted by the passage of the McLeod bill:

- Loans to banks and trust companies, \$1,896,925,340.
- Loans to railroads, \$402,287,361.
- Loans to mortgage loan companies, \$221,272,169.
- Loans to Federal land banks, \$193,618,000.
- Loans to regional agricultural credit corporations, \$166,-442,905.
- Loans to building and loan associations, \$114,017,920.
- Loans to insurance companies, \$88,587,563.
- Miscellaneous, \$48,674,351.
- Purchase of preferred stock in banks and trust companies, \$257,600,616.
- Purchase of other bank securities, \$192,947,150.

Under this McLeod fallacious theory and foolish doctrine, the Government's liability will not be limited to the amount of credit or money extended to these institutions. Every bank that was loaned \$25,000 and later fails the depositors of that bank to the amount of hundreds of thousands of dollars will be able to come under the wire and ask to be paid by the Government; they will proclaim long and loud that the Government exercised a degree of supervision over their institutions, and it failed; therefore they should be paid just like the depositors in the national, State, and private banks were paid.

CLAIMED CURRENCY WILL BE EXPANDED—WILD SCHEMES

Because I am in favor of expansion of the currency it has been suggested to me that I should not oppose this bill or any other bill that will cause credit or money to be expanded. I expect to oppose every measure that is not sound, or that will set an indefensible precedent for the Government to follow in the future. The people cannot be helped in that way; if there should be a small amount of expansion

by using such methods and adopting such principles, the rebound and future abuses will destroy several times the benefits so received.

Those of us who are in favor of controlled expansion of the currency will not help our cause by running off after every wild scheme that is proposed. I can defend every expansion of the currency plan I have proposed. Further, the credit expansion in the McLeod bill will amount to practically nothing when it is considered that interest-bearing tax-exempt bonds will be sold by the Government, or its agency, to furnish the credit. This will enable the large depositors of these institutions to convert their lost investments into bonds that will be free from taxation and upon which the Government guarantees both principal and interest.

IF PRINCIPLE GOOD, LOSSES BACK TO 1920 SHOULD BE PAID

Our monetary troubles started in 1920, when the other body controlled by Republicans passed a resolution which caused the Federal Reserve Board to order deflation of credit. In 4 months wheat fell in price from over \$3 a bushel to \$1.40 a bushel; cotton fell in price from 40 cents a pound to 7 cents a pound; purchasing power was destroyed, values were destroyed, and much misery was caused to the people. The farmers lost more than \$20,000,000,000 in a very short time, causing many of them to lose their homes, which they have never recovered. If people are to be paid by the Government on account of a wrong monetary policy being pursued, the farmers have a good claim for at least \$20,000,000,000, and by the time we analyze all the principles and precedents that will be set by the McLeod bill the claims will probably aggregate closer to a hundred billion dollars.

Many of us are anxious to know why the date January 1, 1930, was put in the bill. Can any good reason be given why it should not be January 1, 1929, or 1928 or 1925 or 1920? Possibly the McLeod bill is intended as the camel's nose.

FIFTH VICTORY LOAN

The patriotic people of this Nation were persuaded to borrow money and make payments on Fifth Victory Loan bonds. This was in 1919. I know hundreds of them that made payments of \$10 to \$25 on hundred-dollar bonds. They were being patriotic, they were responding to the call of our country; they wanted to do their part. What happened after these bonds were distributed all over the Nation into the hands of poor people who could not pay the remainder of their installments to the banks? Deflation of credit and money caused the bonds to go down in value, their loans at the banks were called, and these poor people were forced to lose as much as \$20 on each hundred-dollar bond. That was enormous, considering the fact that in many instances the purchaser had pledged or mortgaged his property to make the initial installment on the bond and required to pay twice as much interest to the bank as he was receiving on the bond. It is like pouring salt in the wound to know that large banking institutions with the free use of the Government's credit purchased these bonds and made tens of millions of dollars in profits. In other words, the ones encouraging the deflation made the profits in these transactions.

If our Government expects to pay losses on account of a destructive or wrong monetary policy, I think the people who were squeezed out in this bond swindle should have first consideration.

STOCK ARGUMENT

The argument is made that the Government will not lose anything by purchasing the assets of closed banks 100 cents on the dollar, the claim being made that values will be restored and there will be no loss. No effort is being made by those in authority to restore 1929 values. The assets acquired on 1929 prices are the ones giving the most trouble. We are not having trouble with the 1926 loans. It is the 1926 price level we are trying to get back to. It is very inconsistent to advocate the purchase by the Government of assets according to 1929 prices and not advocate restor-

ing the price level that prevailed in 1929. If the Government purchases the assets of closed banks by paying 1929 prices and then holds these assets until the goal—1926 prices—is reached, the Government will necessarily lose the difference between the 1926 prices and the 1929 prices.

ALL ASSETS CANNOT BE HELD

Many assets in the closed banks cannot be kept for a period of years, such as grain, cotton, and other perishables, besides livestock and machinery. There are apartment houses and office buildings badly in need of repairs; new apartment houses and buildings will be erected in a short time, and the tenants will leave the buildings we have in receivership. Therefore, we cannot hold these properties for any long period of time.

ASSETS OF BANKRUPTS

Included in the so-called "assets" of closed banks are the obligations of persons, firms, and corporations that have gone into bankruptcy. They are of no value, yet it is contended that the Government will not lose money. Certainly the Government will lose money if it purchases all the bad assets of closed banks 100 cents on the dollar. The loss will have to be paid; it will be paid by the taxpayers.

REPUBLICAN PARTY SUPPORTING THIS INDEFENSIBLE BILL

If the bill contained a good principle that we could build to, I would not object to bringing it before the House for consideration, in the hope that it might be amended; neither would I mention politics in connection with it, but since it fails to contain a single good principle and contains a very bad precedent, I think we can well consider who is backing such a measure. We can get a fair idea by examining the list of sponsors.

The House of Representatives is composed of 312 Democrats, 115 Republicans, and 5 Farmer-Labor.

April 23, 1934, the gentleman from Maine [Mr. BEEDY] made a motion which would have cleared the way for immediate consideration of the McLeod bill. A motion was made to table. Members opposed to the McLeod bill voted "aye"; Members favoring the McLeod bill voted "no." There were 212 Democrats and 15 Republicans voting "aye." There were 38 Democrats, 80 Republicans, and 4 Farmer-Labor voting "no." That vote indicates the Republicans are supporting this measure. You will notice that such Republican leaders as the Honorable Ogden Mills, the Honorable Herbert Hoover, and the Honorable BERTRAM SNELL are just as silent as the tomb. Do they want all the credit they can get out of it and not take any of the responsibility? Their failure to announce the stand of the Republican Party or themselves as Republicans strongly indicates that they are favorable to its passage. The principal reason the Republicans are supporting this measure is they want to use it as a means of embarrassing the Democrats in the districts where a large number of the beneficiaries of such a law reside. They are using it as a trap to catch votes; probably "dead-fall" would be a better name.

SIGNERS OF PETITION

In the Washington Times of yesterday, May 14, there was published a list of the Members of the House who have signed the petition to force consideration of the McLeod bill. Presuming it is correct, we find another strong indication of Republican support. The article indicates there are 115 signers to the petition. The analysis of the list discloses the following:

Sixteen and one-fourth percent of the Democratic Members of the House have signed the petition.

Fifty-two and one-fourth percent of the Republican Members of the House have signed the petition.

One hundred percent of the Farmer-Labor Members of the House have signed the petition.

These figures indicate very little Democratic support. Of course, that is explained by the fact that very few Democrats can be persuaded to permit their names to be used in support of such a measure, and, further, the President of the United States is opposed to the passage of the bill.

REFERENCES TO OTHER SPEECHES ON THE SAME SUBJECT

April 20, 1934, commencing at page 7090 of the CONGRESSIONAL RECORD, will be found my discussion of the McLeod bill. It covers the following subjects:

Cost of the McLeod bill.
Can Government pay all losses?
Bad precedent.
Unlimited appropriation to unknown parties for unknown reasons.

Insurance claims.

Will take \$200,000,000 to pay all losses.

I again discussed the McLeod bill April 26, 1934. My discussion commences at page 7482 of the CONGRESSIONAL RECORD. In that speech the following points were discussed: McLeod bill supporters like Columbus.

What the bill proposes.

Will there be a loss, and who will pay it?

Who will get the money (table is inserted showing the distribution of the money)?

The rich man's bonus (a table is inserted showing loans made by Reconstruction Finance Corporation to banks in each State).

Hoover and Mills speeches—deposits decreased.

What is now being done to aid banks and depositors.

May 2, 1934, I inserted an extension of remarks on the Old and New McLeod Bills, pages 7963-1964. I discussed the following points in this extension:

Purpose of bill according to its title.

The new bill.

Motion to discharge the Rules Committee.

Bill without a good principle.

Compliment to Mr. Hoover (table showing all bank suspensions since 1920 by years, showing deposits, and including State, private, and national banks).

During the last month I have been getting up a statement with regard to veterans' benefits, and this statement includes the status of all veterans before the Economy Act was passed. It states the cases that were most frequently objected to and criticized, and the rules and regulations passed by the President under the Economy Act telling exactly what was done with respect to each class and group of veterans and the effect of such action, also the regulations that were passed putting veterans back on the pension rolls, and the different laws that were enacted restoring benefits. Then the independent offices appropriation bill is taken up and tells what was done in each House and the effect of the amendments that were proposed and adopted.

Then it tells the difference between the President and Congress in regard to the veterans' legislation, the present status of the World War veterans and their dependents and the benefits which each class is entitled to under the present law, rules, and regulations.

Then it takes up the Spanish War veterans and the Philippine insurrection and gives the same information, also of the Boxer rebellion. It will answer practically any question veterans will ask.

The SPEAKER. The gentleman from Washington [Mr. ZIONCHECK] is recognized for 5 minutes.

Mr. ZIONCHECK. Mr. Speaker, on the 3d day of this month I filed a petition to discharge the Rules Committee from the further consideration of H.R. 295, which provides for an open rule for the consideration of the Connery 30-hour week bill. I filed this petition after a great deal of deliberation, for I was very reluctant to do anything that might embarrass the administration in its effort to bring about recovery. I came to the conclusion that this legislative body and its every Member has a constitutional duty to perform and that if we are to be a body that sincerely tries to represent the 435 congressional districts of these United States we must take on a share of the burden of enacting legislation which in our honest opinions is necessary to bring about recovery and a fairer distribution to each and every citizen whom we represent. By the filing of this petition I felt that every Member here would be given an opportunity to express his opinion on this vital question, so that our

President might know how we feel in our representative capacities.

H.R. 8492, the Connery 30-hour week bill, in brief, provides for a 5-day week and a 6-hour day for industries that are operating under the National Recovery Act. It sets up a board which has the power to grant exemptions from the 30-hour-week provision where such exemptions are really necessary for the proper conduct of business, and, more important still, it further provides that the same wages must be paid for the 30 hours as for the hours previously worked under the code where the hours were more than 30. One of the reasons that I am so vitally interested in this fundamental measure is that I have a definite campaign commitment to work and fight for a 30-hour week without wage reductions.

Under the present N.R.A. codes labor is compelled to work 40 or more hours per week, and in view of the fact that there are at present more than 11,000,000 unemployed, it seems to me that we are proceeding toward recovery in reverse. It is my sincere belief that we will never get out of this horrible depression until these honest and sincere Americans are given a real opportunity to obtain gainful employment at wages that will allow them not only to buy the necessities of life but also the comforts as well as a few luxuries. This is the age-old battle of human rights against property rights. We are called upon today to indicate in our representative capacities whether we deem the human rights of millions of Americans more important than the rights of capital to interest, dividends, and profits. Yes; we are called upon now to express ourselves on the grave question of further allowing millions to starve amidst plenty.

In a spirit of constructive criticism, I believe that our present recovery program is entirely wrong in that it is based upon the philosophy of economic planning of production instead of consumption. More and more of us are coming to the belief that if we economically plan consumption production will take care of itself; that if we create an opportunity for gainful employment for all who honestly seek to be employed that no longer will there be any further necessity of plowing under cotton, burning wheat, and destroying hogs; and unless we immediately enact legislation such as the measure on which I now speak we will never create a real consumers' purchasing power, which is the dire need of this country today. This bill strikes at the fundamental cause of the depression, for every economist who is worthy of the name holds that the cause of this depression is that labor has not received a just portion of what it has produced.

Some have expressed a fear that a compulsory 30-hour week would destroy small industries. I want to say here and now that the same fear has been expressed in times past when labor has been fighting its bitter battle for increased wages and reduced working hours. The same cry was raised in behalf of small industries when the effort was being made to reduce the working hours from 14 to 12, from 12 to 10, and from 10 to 8. When the battle was being carried on for an 8-hour day in the State of Washington one of our largest newspapers in the city of Seattle editorially predicted that a compulsory 8-hour day would drive all industry out and that our State of Washington would be as barren as a desert within a month's time, but when we look back today we find no foundation for such a rash prediction. The same arguments may be advanced in the future when the need of a 4-hour day will become very evident, due to the terrific pace of labor-saving devices and the increased efficiency of labor. Regardless of these arguments, I say that the right to earn an honest living at gainful employment, the right to live and enjoy life, are more important than the right to make profits, collect interest, or obtain dividends. There is not a reasonable-minded person today who will honestly maintain that there is not enough for everyone, if a fair distribution of the things created by labor is brought about.

In view of the arguments that have been advanced against reduced hours and increased wages, as well as better prices to the producers of farm products, we find that at present,

according to the figures of Dr. Wilbur I. King on the Distribution of Wealth, if today we only had \$100 and 100 persons, 1 of those persons would have \$59, 1 person would have \$9, 22 persons would have \$1.22 apiece, and the remaining 76 persons would have less than 7 cents each. Do not these figures forcefully argue that compulsory measures must be taken to give labor, in its larger sense, a greater share of what it produces?

A few days ago in the city of Seattle we had a pitiful example of a little 4-year-old girl, the daughter of an unemployed shoemaker, eating weeds because of hunger. Among the weeds that she ate happened to be some poison hemlock, which caused her death a few hours afterward.

I ask is it more important to protect the rights of little children who are not responsible for being born into this world than the rights of rapacious greed that thinks only in terms of interest, dividends, and profits? I for one cannot see how any person with a human heart and understanding can even hesitate as to what course he shall choose under these circumstances.

Today in the city of Seattle 750 unemployed are being added to the relief rolls daily. Although I believe in adequate relief and relief measures for the time being, nevertheless, I recognize that that is not a remedy for unemployment. Only measures such as the one of which I speak contain a solution for the grave injustices which constantly surround us.

Many persons here feel that the 30-hour week bill might be held unconstitutional by our Supreme Court because of the previous decisions of that tribunal with reference to child-labor legislation in its relationship to Interstate Commerce, nevertheless, the prevailing view is that this measure would be held constitutional, due to the grave emergency that now confronts our modern civilization.

Congressman CROSSER has introduced a constitutional amendment, House Joint Resolution 145, which is before the Judiciary Committee today, which I feel is the more sensible manner of approaching this problem of unemployment. The text of this amendment is as follows:

ARTICLE XX

To promote the general welfare Congress shall have the power to reduce the number of hours of service per day and days per week for which contracts of employment may be lawfully made.

In Congressman CROSSER's speech upon this amendment on July 8, 1932, he states:

This amendment could provide for a body like the Interstate Commerce Commission, which would remain constantly in session. Applications for the reduction in hours of labor in any industry could be filed with the Commission whenever the facts might seem to warrant such action. The Commission then could conduct hearings and receive testimony to determine whether or not any increase in the efficiency of labor may have resulted because of the use of improved machinery or otherwise; if it should find that such increase in efficiency had occurred, then it would be the duty of the Commission to reduce the hours of labor for that industry in proportion to the increase in efficiency of labor.

Although such a constitutional amendment would be far more preferable than the present bill about which I am speaking, nevertheless, in absence of this constitutional amendment, I think every Member who has the interests of the producer at heart will work for the enactment of the 30-hour week for the time being.

I am wholly satisfied that our President is absolutely sincere in his effort to bring about recovery under the N.R.A. program. Personally, I am thoroughly satisfied that it is a failure, particularly for the reason that big business and their representatives draw up the codes, and we all know that they draw them up to serve their own selfish interests and not the interests of labor or the small business man.

To me the N.R.A. codes resemble the proverbial sausage that was made of half horse and half rabbit, and when the maker of the sausage was asked how he figured this out he informed his questioner that it was made of 1 horse and 1 rabbit. Labor is the rabbit of the present codes, and a very skinny little rabbit at that.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. ZIONCHECK. I yield to the gentleman from Oregon.

Mr. MOTT. Does the gentleman think that the N.R.A. is a failure on account of the law itself or because of its administration?

Mr. ZIONCHECK. Partly because of its administration, but fundamentally because of the law itself. It is next to impossible to administer such a law, for I think past experience shows that any time the Government attempts to regulate industry that it is but a short time before the regulated are regulating the regulators. The attitude of industry a year ago and its attitude today is as different as night and day. At that time they were crying for governmental interference in business, and today, as soon as their profits increase, they cry that Government should not interfere with business. As an example of the attitude of some employers, under the present N.R.A. codes, I want to insert a bulletin of a Chicago employer, whose name I can furnish upon request, which reads as follows:

CHICAGO, August 3, 1933.

To Factory Employees:

Beginning with the week of August 7 this entire plant will be operated under the Federal National Recovery Act. By this law we are governed as to minimum wages and weekly hours of labor. Except in emergency we cannot give any factory employee, except foremen, more than 35 hours labor per week. For the regular shift these hours will be from 8 o'clock morning to 12 noon, and from 12:45 to 3:45 afternoons, for 5 days, Monday to Friday, inclusive.

With these regulations and with the increase in old taxes and the addition of several new taxes it will be difficult to operate any industrial plant without loss. Therefore we must get maximum production from every man and woman who holds a job here. Every employee must be in his place and ready to start before the whistle blows at 8 o'clock. There will be no time allowed in any department for washing or dressing at the close of the day. Full speed must be carried on for every minute of the 7 hours. There will be no unnecessary loss of time allowed for drinking, lunching, toilet going, or personal conversations during operating time. In short, we expect to receive 7 full hours of best effort from every person who desires to remain in our organization. Any worker who will not thoroughly cooperate must be dropped from our roll.

When the special code for our industry is issued there may be some change made in working hours.

I do not want myself to be interpreted as maintaining the position that a 30-hour week will remedy the present situation. I am thoroughly convinced that companion measures must be enacted. For the time being the Reconstruction Finance Corporation should be authorized to make loans direct to small industries at a low rate of interest.

The next necessary step, in my estimation, must be an act that will nationalize commercial and deposit banking, leaving the investment field alone to private bankers; and along with this we will have to increase the gift, income, and inheritance taxes in the higher brackets so that the creators of unemployment will have to support the unemployment they create through governmental agencies, or, in the alternative, by way of pay envelopes in order to avoid the payment of these taxes to the Government.

Some of the Members feel that the 30-hour week bill is drastic legislation, but I say it is but mild compared to the legislation that must be enacted in the near future if we are intelligently to avoid utter chaos. It seems perfectly apparent to me that when a patient is very sick strong medicine must be administered if the patient is to recover. I am certain that if the different Members of Congress were able to visualize the actual conditions existing in their congressional districts at the present time they would have no hesitation in signing this petition. Many undoubtedly think that we are out of the depression today, because of the conditions that they see existing in Washington, D.C.; but I want to state here and now that in the city of Washington, D.C., the people do not know what a depression really is; but I predict that they will, unless we pass legislation in the very near future which is fundamental and basic and for the benefit of the great majority of the people, who are not only the producers, actual and potential, but also the consumers.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 3 minutes.

The SPEAKER. Is there objection?

Mr. VINSON of Georgia. Mr. Speaker, I object.
 Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein one editorial and some excerpts from the newspapers at the same time.

The SPEAKER. Is there objection?
 Mr. SNELL. Mr. Speaker, I object to the editorial and the newspaper excerpts. I have no objection to his own remarks.

The SPEAKER. Objection is made to the editorial and the newspaper excerpts. The gentleman can extend his own remarks.

RELIEF EXPENDITURES (H. DOC. NO. 372)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and referred to the Committee on Appropriations and ordered printed:

To the Congress of the United States:

In my Budget message to the Congress of January 3, 1934, I said to you:

It is evident to me, as I am sure it is evident to you, that powerful forces for recovery exist. It is by laying a foundation of confidence in the present and faith in the future that the upturn which we have so far seen will become cumulative. The cornerstone of this foundation is the good credit of the Government.

It is, therefore, not strange nor is it academic that this credit has a profound effect upon the confidence so necessary to permit the new recovery to develop into maturity.

If we maintain the course I have outlined, we can confidently look forward to cumulative beneficial forces represented by increased volume of business, more general profit, greater employment, a diminution of relief expenditures, larger governmental receipts and repayments, and greater human happiness.

The Budget which I submitted to the Congress proposed expenditures for the balance of this fiscal year and for the coming fiscal year which, in the light of expected revenues, called for a definite deficiency on June 30, 1935, but, at the same time, held out the hope that annual deficits would terminate during the following fiscal year.

It is true that actual expenditures since January have proceeded at a slower rate than estimated; nevertheless, it must be borne in mind that, even though the actual deficit for the year ending June 30, 1934, will be below my estimate, appropriations are still in force and the amounts actually to be expended during the following fiscal year will therefore be increased over and above my estimate for that fiscal year. In this connection it is relevant to point out that during the fiscal year 1935 it is estimated that there will be actually expended on public works \$1,500,000,000 out of appropriations heretofore made.

In my Budget message of January 3, 1934, it was pointed out that there could be no abrupt termination of emergency expenditures for recovery purposes, that the necessity for relief would continue, and that appropriations amounting to \$3,166,000,000 in addition to the appropriations contained in the Budget itself would be requested for the 2 fiscal years ending June 30, 1935.

The present Congress has already made appropriations out of which, for the 2 fiscal years in question, it is estimated there will be expended the following sums:

Relief.....	\$950,000,000
Crop loans.....	40,000,000
Farm mortgages.....	40,000,000
Reconstruction Finance Corporation.....	500,000,000
Veterans' benefits.....	22,000,000
Army Air Corps.....	5,000,000
Flood control, Mississippi River, etc.....	29,000,000
Independent offices act.....	228,000,000
Miscellaneous supplemental estimates.....	30,000,000
	1,844,000,000

This leaves a balance of \$1,322,000,000 to be appropriated. Out of this balance it is necessary first to take the specific items to be appropriated for:

Federal land banks:	
Subscription to paid-in surplus.....	\$75,000,000
Reduction in interest payments.....	7,950,000
Emergency bank act and gold transfer.....	3,000,000

Internal Revenue Service.....	\$10,000,000
Salaries, Office of the Secretary of the Treasury.....	100,000
Secret Service.....	45,000
	96,095,000

This leaves \$1,225,905,000 available for the following purposes: Civilian Conservation Corps camps, public works, and relief work, in addition to amounts already appropriated, and including aid to the dairy- and beef-cattle industries.

It is estimated that the minimum requirements for the Civilian Conservation Corps will be \$285,000,000 and that the amount available, therefore, for Public Works and relief will be \$940,905,000. A very simple check-up of these figures shows that they total \$3,166,000,000, to which reference was made in my Budget message of January 3, 1934.

It was my thought in January, and is my thought now that this sum should be appropriated to me under fairly broad powers because of the fact that no one could then, or can now determine the exact needs under hard-and-fixed appropriation headings. In furtherance of this thought it seems appropriate to provide that any savings which can be effected out of certain appropriations made for emergency purposes shall be available for emergency-relief purposes.

In my judgment an appropriation in excess of the above amount would make more difficult if not impossible an actual balance of the Budget in the fiscal year 1936 unless greatly increased taxes are provided. The present estimates should be sufficient as a whole to take care of the emergencies of relief and of orderly reemployment at least until the early part of the calendar year 1935. If at that time conditions have not improved as much as we today hope, the next Congress will be in session and will have full opportunity to act.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, May 15, 1934.

LA FAYETTE MEMORIAL EXERCISES

The Clerk read as follows:

Pursuant to the provisions of House Concurrent Resolution 37, the Chair appoints as members of the joint committee to make suitable arrangements for fitting and proper exercises for the joint session of Congress in commemoration of the one hundredth anniversary of the death of Gilbert du Motier, Marquis de La Fayette, the following Members of the House: Hon. MARY T. NORRIS, Hon. SOL BLOOM, Hon. SCHUYLER O. BLAND, Hon. DANIEL A. REED, and Hon. EDITH NOURSE ROGERS.

LOAN OF WAR DEPARTMENT EQUIPMENT TO CONFEDERATE VETERANS

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent to take up for present consideration the bill (H.R. 9092) to authorize the Secretary of War to lend to the housing committee of the United Confederate Veterans 250 pyramidal tents, complete; fifteen 16- by 80- by 40-foot assembly tents; thirty 11- by 50- by 15-foot hospital-ward tents; 10,000 blankets, olive drab, no. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; 10,000 bed sheets; 20 field ranges, no. 1; 10 field bake ovens; and 50 water bags (for ice water), to be used at the encampment of the United Confederate Veterans, to be held at Chattanooga, Tenn., in June 1934, and pass it as amended. It is a bill to authorize the Secretary of War to lend equipment to the United Confederate Veterans for use at the encampment at Chattanooga June 5, 6, and 7. The Government is fully protected by a bond and the usual requirements that follow the lending of tents to these national organizations.

Mr. SNELL. As I understand it, this is the usual bill that is passed for occasions of this character.

Mr. McREYNOLDS. Yes. Certain matters are cut out by amendment, because that equipment is being used by the C.C.C. camps.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of the bill H.R. 9092, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to lend, at his discretion, to the housing committee of the United Confederate Veterans, whose encampment is

to be held at Chattanooga, Tenn., June 6, 7, and 8, 1934. 250 pyramidal tents, complete with all poles, pegs, and other equipment necessary for their erection; fifteen 16- by 80- by 40-foot assembly tents, complete with all their poles, pegs, and equipment necessary for their erection; thirty 11- by 50- by 15-foot hospital-ward tents, complete with all their poles, pegs, and equipment necessary for their erection; 20 field ranges, no. 1, with necessary equipment for their erection; 10 field bake ovens with necessary equipment for their erection; 50 water bags (for ice water); 10,000 blankets, olive drab, no. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; 10,000 bed sheets; 10 officers' tents, complete with all their poles, pegs, and equipment necessary for their erection; 900 mess kits, complete; 6 litters; 6 fire extinguishers; 20 tent flies with poles for wall tents; and 30 garbage cans: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered from the nearest quartermaster depot at such time prior to the holding of said encampment as may be agreed upon by the Secretary of War and the chairman of the said housing committee, Mr. Maurice C. Poss: *Provided further*, That the Secretary of War, before delivery of such property, shall take from said Maurice C. Poss, chairman of the housing committee of the annual Confederate reunion, a good and sufficient bond for the safe return of said property in good order and condition and the whole without expense to the United States.

With the following committee amendments:

Page 2, line 12, strike out "50 water bags (for ice water);".
Page 2, line 14, strike out "5,000 pillow cases;".
Page 2, line 15, strike out "5,000 cotton pillows; 5,000 bed sacks; 10,000 bed sheets;".
Page 2, line 18, strike out "6 fire extinguishers;".

The SPEAKER. Is there objection?

There was no objection.

The amendments were agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended to read: "A bill to authorize the Secretary of War to lend to the housing committee of the United Confederate Veterans 250 pyramidal tents, complete; fifteen 16- by 80- by 40-foot assembly tents; thirty 11- by 50- by 15-foot hospital-ward tents; 10,000 blankets, olive drab, no. 4; 5,000 canvas cots; 20 field ranges, no. 1; 10 field bake ovens, to be used at the encampment of the United Confederate Veterans, to be held at Chattanooga, Tenn., in June 1934."

PROMOTION BY SELECTION IN THE LINE OF THE NAVY IN GRADES OF LIEUTENANT COMMANDER AND LIEUTENANT

Mr. BANKHEAD. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H.Res. 347) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H.R. 9068, a bill to provide for promotion by selection in the line of the Navy in the grades of lieutenant commander and lieutenant; to authorize appointment as ensigns in the line of the Navy all midshipmen who hereafter graduate from the Naval Academy; and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

With the following committee amendment:

On page 1, line 10, strike out the words "2 hours" and insert "1 hour."

Mr. BANKHEAD. Mr. Speaker, I yield the usual 30 minutes to the gentleman from Massachusetts [Mr. MARTIN] to use as he sees fit.

I wish to make a very brief preliminary statement with reference to this rule. It is an open rule and provides for the consideration of the bill stated in the resolution, to provide for promotion by selection in the line of the Navy in the grades of lieutenant commander and lieutenant; to authorize appointment as ensigns in the line of the Navy all

midshipmen who hereafter graduate from the Naval Academy; and for other purposes.

It was represented to the Committee on Rules that this bill had the unanimous support of the Committee on Naval Affairs and had the recommendation of the Navy Department and was in line with the Budget estimates, as far as any appropriations were concerned.

I think that is all I care to say at this time. The purposes of the bill will be explained in the discussion of the rule by members of the Naval Affairs Committee.

I now yield 5 minutes to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to speak out of order, as I may be out of order.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'CONNOR. Mr. Speaker, the matter I desire to discuss is of interest to every Member of this House. The Navy Department is one of the great arms of the Government. I believe the maintenance of our great Navy commands more interest and more sentiment than any other branch of our Government. I believe, for instance, that we are more interested in our Navy than we are in our Military Establishment. We provide immense funds for our Navy's support, and annually, and more often sometimes, we appropriate hundreds of millions of dollars to supplement its present equipment.

On May 31 there will be a review of our entire fleet. The fleet will enter New York Harbor. I understand the President is going there to review our fleet. He is going on some naval ship out to Ambrose Light where the fleet will pass through the Narrows into the Harbor of New York.

For some time I have been interested in finding out what part the Members of Congress will take in that great review. I learned yesterday that the Navy Department thought its only friends in Congress were the Committee on Naval Affairs and the subcommittee of the Committee on Appropriations on the Navy. I agree that our great Naval Affairs Committee, headed by the brilliant and distinguished chairman [Mr. VINSON of Georgia], is one of the great committees of the House, and I also will concede that the subcommittee of the Committee on Appropriations for naval affairs is one of the hardest working of one of the greatest committees of the House; but I do not feel that the Navy Department obtains all the results which it gets solely from those two committees. If the Navy depended solely on those two committees it might not be so successful in securing the great appropriations which it obtains from Congress. If the Navy depended on those two committees alone, these two bills which we shall discuss today would not be before us, because the Rules Committee had to report them out, otherwise they would have been buried in the calendar.

Nor do I stop there, because, although I have no personal interest in the matter, I do believe that every Member of this House is vitally interested in our Navy, so the Navy Department should not confine its catering solely to the Naval Affairs Committee and the subcommittee of the Committee on Appropriations on naval affairs. I believe that a review of our great fleet is important enough that the entire membership of Congress should be invited to see it. I do not suggest a junket. The Members will pay their own railroad fares to New York and back. Probably not more than 100 Members would make the trip. A naval boat could be provided, perhaps either the *Wyoming* or the *Louisville*, to take the Members of Congress who desire to go out down the New York Harbor to review the fleet. The Navy Department should not confine its catering solely to the two committees with which it comes in closest and most direct contact. We are all interested in our Navy.

Now, I am not talking about myself. I may not go out to Ambrose Light to see the fleet, because once, when I went out there, I became seasick; but I believe the Navy Department and the other departments of our Government should realize that every one of the 435 Members of this House and the 96 Members of the other House are of some consequence

when it comes to naval affairs or the other affairs of our Nation.

Mr. BRITTEN. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. BRITTEN. I purposely refrained from interrupting the gentleman because I wanted him to get out of his system the remarks that have just been presented to the House.

Mr. O'CONNOR. They are nearly all out.

Mr. BRITTEN. I will say that after talking with the distinguished gentleman from New York on yesterday, my colleague [Mr. DELANEY] and I called upon the Secretary of the Navy this morning, and I can assure the gentleman that every Member of Congress will be invited to participate in the review of the fleet and that proper facilities will be arranged for proper observation of the fleet on that day and on the subsequent days.

Mr. O'CONNOR. Having accomplished my purposes, I now retire. [Applause.]

Mr. BRITTEN. The gentleman has accomplished his purpose.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. BANKHEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON of Georgia. Mr. Speaker, the rule as presented provides, as he has just stated to you, 1 hour general debate. Then the bill is to be considered under the 5-minute rule and open to amendments.

I deem it important to call to the attention of the House the purpose of this measure, which is twofold: First, it is to extend selection downward to the grades of lieutenant and lieutenant (junior grade); and, second, to authorize the President to give commissions to all the graduates of the Naval Academy.

Under the law as it exists today promotion by selection is only extended to the grade of lieutenant commander, and this proposed measure contemplates carrying it to the grades of lieutenant and lieutenant (junior grade).

By the act of May 6, 1932, only 50 percent of the class that graduates at the Naval Academy is entitled to receive commissions. In other words, those whose ratings at the academy are high enough to be grouped and classified in the first half of the class receive the commissions. Now, this bill is to repeal that part of the law.

This measure as presented to the Naval Affairs Committee had the approval of the Navy Department and was in accordance with the financial program of the President. However, when the bill was under consideration by the committee, an amendment was agreed to as set out in section 4. Now, as section 4 is presented to you it is not in accordance with the financial program of the President, but I propose, by authority of the Naval Affairs Committee, to ask the Committee of the Whole House to disagree to the committee amendment, thereby eliminating the committee amendment, which, in turn, will present the measure in the exact form that was sent to the Naval Affairs Committee by the Navy Department, which has the approval of the Director of the Budget and is in accordance with the President's financial program.

All that this bill does is, first, to extend selection downward, so that promotions to lieutenant commander and lieutenant will be by selection of instead of seniority; second, to make the number to be selected for the ranks of lieutenant will be by selection instead of seniority; second, Secretary of the Navy; third, to retire lieutenants or lieutenants (junior grade) who have completed 14 years and 7 years' commissioned service, respectively, and who have not been recommended for promotion to the next higher grade by a line-selection board—this provision is held in abeyance for 2 years after the passage of this act in order to give the officers affected an ample opportunity for selection—fourth, to authorize the President to commission as ensign all midshipmen who graduate from the Naval Academy, and provision is also included to commission as ensign those members of the class of 1933 who received a certificate of graduation in lieu of commission, provided that they are

found physically qualified and under such regulations as the Secretary of the Navy may prescribe. The limit in date for the class of 1933 is June 1, 1934.

If this bill is enacted, it will show a saving in pay of the Navy over existing laws. This saving for a period of 8 years, from the fiscal year 1935 to 1942, will be \$1,643,356.

I shall now explain briefly what each section of this bill provides:

Section 1 extends existing selection down two grades, requiring selection to the grades of lieutenant commander and lieutenant. Existing law permits a number equal to 10 percent of the authorized number in the next higher grade to be selected annually; this bill leaves it to the discretion of the Secretary of the Navy as to the number to be selected; otherwise there would be wholesale retirement the first 2 or 3 years.

Section 2 defines the eligibility of lieutenants (junior grade). Existing law requires 4 years' service in grade before eligible for selection. Due to total service of 7 years provided for junior lieutenants, 4 years would not give them an opportunity for selection prior to automatic retirement.

Section 3 provides for the composition of the selection board. Present law requires admirals. This permits eight captains to serve on the board.

Section 4 provides for the disposition of officers not selected in accordance with this bill. This is in line with existing law to retire officers after so many years of commissioned service in the various grades. Two years are provided to make necessary adjustments.

Section 5 provides for commissioning all graduates of the Naval Academy. Present law provides for 50 percent to be commissioned.

Section 6 simply takes care of the promotion for staff officers in the lower grades in view of the proposed change in the promotion of line officers of those grades.

Mr. McCLINTIC. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. McCLINTIC. If this legislation is enacted into law, what effect will it have upon the proposed new arrangement with respect to all promotions in the Navy?

Mr. VINSON of Georgia. This is the first step in that direction. We are creating a uniform method. Through this bill we propose to have promotions made by selection all the way down the line, instead of promotions being made part by selection and part by seniority.

Mr. McCLINTIC. Then the gentleman has in mind to carry on this program until he has perfected the entire proposal with respect to promotions?

Mr. VINSON of Georgia. And to go even further, I hope, in the next session to bring in legislation to reorganize the whole Naval Establishment.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. BLANTON. How many more naval officers have we on shore than we have on the sea?

Mr. VINSON of Georgia. We have everyone on land that is necessary to be on land; and we have everyone on sea that is needed at sea.

Mr. BLANTON. And we have more on land than we have at sea.

Mr. VINSON of Georgia. The gentleman is surely mistaken.

Mr. BLANTON. Can the gentleman give us the figures?

Mr. VINSON of Georgia. I cannot give them accurately, but I can state them approximately.

Mr. BLANTON. I will give them to the gentleman; I will come to the gentleman's office and give them to him accurately.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. TABER. Is it not a fact that this bill does not attempt to provide for promotion by selection from ensign to lieutenant?

Mr. VINSON of Georgia. Yes; that is correct. The only grade in the Navy that will not be dealt with by the selection board is that of ensign. Under the law an ensign stays in

that grade 3 years and is then automatically advanced to the rank of lieutenant (junior grade); and from lieutenant (junior grade) on up to admiral promotions will be made by selection instead of seniority.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. DONDERO. What will happen to those graduates of the class of 1933 who did not receive commissions?

Mr. VINSON of Georgia. I am glad the gentleman called my attention to that. The bill permits, under rules and regulations to be established by the Secretary of the Navy for the giving of commissions to the graduates of the class of 1933 who did not receive commissions provided they file their application by June of this year.

Mr. AYRES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. AYRES of Kansas. Under the regulations of the Navy, if a midshipman should get married before receiving his commission, he is not entitled to his commission.

Mr. VINSON of Georgia. That is the law.

Mr. AYRES of Kansas. Fifty percent of the young men who graduated last June, of course, received no commission. Eleven of those men have since married. I intend to offer an amendment when that particular part of the bill is reached that these men shall receive their commissions, notwithstanding the fact that they have married, provided they are otherwise qualified.

Mr. VINSON of Georgia. I may state to the gentleman from Kansas [Mr. AYRES] that he did me the courtesy of bringing the amendment to my attention. I am thoroughly in accord with the amendment, and I will ask at the proper time that it be agreed to.

Mr. WADSWORTH. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from New York.

Mr. WADSWORTH. If my recollection is correct, when we passed the legislation withholding commissions from 50 percent of the graduating class last June we at the same time withdrew from those men one of their allowances.

Mr. VINSON of Georgia. No; the gentleman is mistaken. The midshipmen who failed to get commissions last year received 1 year's pay, because the bill was not passed in time to deny them the 1 year's pay. In addition to that, they received their \$900 which had accumulated for uniforms.

Mr. WADSWORTH. I was mistaken. I think when it passed the House in the first instance that matter was brought up.

Mr. WOODRUFF. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Michigan.

Mr. WOODRUFF. Will the gentleman inform the House as to whether or not the status of those men who were denied commissions last year will be changed by this bill?

Mr. VINSON of Georgia. We propose to accord them an opportunity to come into the service if they file their applications between now and June 1934.

Mr. Speaker, I do not desire to consume more time in a discussion of the rule. This is an open rule and the bill is subject to amendment after we adopt the rule. I shall endeavor at that time to explain each and every section of the bill so that every Member may thoroughly understand the object and purpose of it. It is merely to extend the selection down to the two lower grades and have practically a uniform method of promotion in the Navy.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Missouri.

Mr. COCHRAN of Missouri. Will the gentleman inform us what it costs to educate a midshipman during the 4-year period he is in training, including all allowances?

Mr. VINSON of Georgia. It is estimated that it costs about \$13,000.

Mr. COCHRAN of Missouri. In other words, if we educate a boy for 4 years, make an officer of him, at a cost of \$13,000

to the taxpayers of this country, and he is not commissioned, the Government gets nothing for its expenditure?

Mr. VINSON of Georgia. That is true.

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 15 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, there are some good features about this bill, and some that, in my opinion, are not so good.

In the first place, I think we ought to have a Navy that is built along the lines of national defense, an efficient Navy, and one in which the officers are enabled, because of the training they have had, to command our ships in time of war. For that reason I feel that we should have the number of officers that are needed, but we should not have a great many officers for whom we are unable to give the requisite sea training.

There is one other feature of a minor character that I desire to go into for a moment or two. That is the provision for the selection of officers from the grade of junior lieutenant to lieutenant. I am inclined to question whether or not the flag officers of the Navy who make up the selection board, namely, the admirals, will have acquaintance enough with the junior lieutenants to make this selection. I am inclined to doubt that those officers will have come enough to the attention of these flag officers so that the flag officers will have a proper judgment on them, and I doubt whether or not promotions should be made by selection from junior lieutenant to lieutenant.

Mr. MARTIN of Colorado. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Colorado.

Mr. MARTIN of Colorado. The gentleman has raised the only question that has occurred to my mind about this legislation, and that is how this selection will be protected from favoritism in making these promotions.

Mr. TABER. Frankly, that is a difficult job. I have had considerable experience with selection boards and that sort of thing. It is supposed to be on the basis that only those who have been promoted to admiral, and who have no possibility of further promotion by any selection board or anything of that kind, are put on the selection board. They are supposed to be absolutely unbiased and to have no reason for doing anything except what their honest judgment may dictate. I think that is the theory of the proposition.

Mr. VINSON of Georgia. They take the record of each officer and go over it, reaching a decision as to who is next best fitted for promotion.

Mr. TABER. They take his efficiency rating. That is what they try to do.

Mr. MARTIN of Oregon. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Oregon.

Mr. MARTIN of Oregon. I may say to the gentleman from Colorado that, from long experience in the Army, I think the favoritism comes not from within the Army itself but from the politicians on the outside. You have to trust the leaders in the Army and Navy to keep their ranks straight, and they will do that if you will trust them. That is what they want to do, but the trouble comes on account of politicians stepping in.

Mr. MARTIN of Colorado. I have had a lot of experience, and I think there is just as much politics in the Army and Navy as there is outside.

Mr. TABER. That might be.

Mr. MARTIN of Colorado. That kind of politics may determine the selections rather than merit.

Mr. TABER. May I talk for a while about the number which we will have available, if this bill goes through, for officers in the line of the Navy?

At the present time the appropriation bill for 1935 provides for 5,900 officers of the line, approximately. I may be 1 or 2 off. We are not able to give proper training and proper posts to those 5,900. We have approximately 500 more than the law is supposed to allow.

They are put in by special act commissioning certain classes of the academy. We have had to provide special courses in post-graduate work and that sort of thing in

order to give them something to do. The ships that are coming along, with very few exceptions, are replacements, and we are not going to require a lot more officers than we had before.

The average attrition in the Navy over the last 3 years has been 165. This bill results in a certain amount of attrition in addition to this. The Chief of the Bureau of Navigation, Admiral Leahy, estimated it to me at 118, which makes a total attrition of approximately 283.

Mr. THOM. What does the gentleman mean by attrition?

Mr. TABER. Attrition means the number that die or retire or are lost to the Navy in any other way.

This means that if you take this set-up and go down the line, and these are the figures that I obtained from Admiral Leahy the other day, at an hour and a half session in my office, you have 5,900 provided for in your appropriation bill.

I understand other figures have been given in other places, but the figure given me as to the number you commission of the class of 1933 is 100. Frankly, my own opinion after an hour and a half's talk with the admiral is there will be 150.

In addition to those that were figured on when the Navy appropriation bill was under consideration, you will commission 215 additional out of the class of 1934 that you did not figure on. This, with the 150, makes a total of 6,265 who will be in the Navy as line officers during the fiscal year 1935.

The class of 1935 is estimated to produce 346. This will provide 6,611. The attrition will be 165 plus 118, or 283, leaving a net on July 1, 1935, of 6,328.

In the class of 1936 available for the Navy line there will be 184, making on July 1, 1936, 6,512, and with the attrition going on in the same way, 283, the number on July 1, 1936, will be 6,229.

The class of 1937 will produce for the line 246, making 6,475, and deducting 283, you have on July 1, 1937, 6,192.

The class of 1938 will produce 292 for the line, making 6,484, and if you deduct your attrition of 283 on July 1, you have 6,201.

The class of 1939 will produce 310, according to the estimates. Frankly, I think these figures are all conservative. If you deduct your attrition you have 6,228, and you go on down through to July 1, 1940, when you have 6,208 officers.

Mr. BRITTEN. Will the gentleman yield?

Mr. TABER. I yield.

Mr. BRITTEN. The gentleman's figures are very interesting if one can follow them, but I am wondering if the gentleman takes into account the young officers who will go out of the service because of failure of selection.

Mr. TABER. I do.

Mr. BRITTEN. How many does the gentleman figure will go out next year on that account?

Mr. TABER. I was told by Admiral Leahy that the number to go out because of failure of selection in the grades that are to come under selection on account of this bill would be 118 each year.

Mr. BRITTEN. Beginning with the first year?

Mr. TABER. Not in the fiscal year 1935. It would only begin to be effective in 1936.

Mr. BRITTEN. The gentleman is mistaken, and that is the reason I asked the question. No one goes out for 2 years.

Mr. TABER. Well, it begins at the end of the year 1936, the selection board meeting in the spring of 1936.

Mr. BRITTEN. I wanted to show the gentleman that his figures are entirely in error.

Mr. TABER. That is the way it works out and that is the way I have it figured.

Mr. DOCKWEILER. Will the gentleman yield?

Mr. TABER. I yield.

Mr. DOCKWEILER. I notice the gentleman from New York, as well as the Chairman of the Naval Affairs Committee, mentioned officers of the line. This bill does not affect, then, the promotion of Construction Corps men or Medical Corps men or men who have been selected for special work?

Mr. TABER. My understanding is this does not affect anyone but officers of the line.

Frankly, I feel that the number of officers of the line that you would have in the Navy would be so large that you would not give them proper training and they would not be half as efficient as they would be if you stick to the requirements of the law and have your 5,400.

Let me say to the House that when the bill was brought in a year ago and a couple of years ago to commission the classes of the academy, the statement was made that we would get rid of a group of officers in the lieutenant, junior lieutenant, and lieutenant commander class who came in as emergency officers and whose failure to be promoted has been clogging the promotion lists. There are about 500 of them. They have never gone out, as it was represented to us they would go out. Frankly, those who are not good enough among that group to be promoted will go out under this bill, and that is a very good feature of the bill.

Mr. VINSON of Georgia. That is one of the best provisions of the bill.

Mr. TABER. It should be.

Mr. VINSON of Georgia. And if the lieutenant, after 14 years, and the junior, after 7 years, fails to be selected, they go out of the service.

Mr. TABER. That is correct.

Mr. VINSON of Georgia. Does not the gentleman agree to that?

Mr. TABER. I do. Now, it seems to me that we should go along and keep the five-thousand-four-hundred-odd officers that the law provides we should have, and in that way we can get along by commissioning the 50 percent of the graduating classes that we have provided for until we get the number.

Mr. VINSON of Georgia. I should like to have the gentleman tell us how that can be accomplished unless the elimination provided for in this bill is enacted into law?

Mr. TABER. That can be accomplished by cutting out a little bit of the language in section 5 of the bill at the top of page 4.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. TABER. I yield.

Mr. OLIVER of Alabama. Is the computation the gentleman made with Admiral Leahy based on the amendment suggested in the report of the committee, or was it based on the language originally submitted by the Navy Department?

Mr. TABER. It was based on the report of the committee.

Mr. OLIVER of Alabama. With the committee amendment eliminated, the gentleman will find that there must be a reduction in the figures he gave the House.

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. BRITTEN].

Mr. BRITTEN. Mr. Speaker, as indicated by the gentleman from Alabama [Mr. OLIVER] the figures presented by the gentleman from New York [Mr. TABER] include an amendment, an undesirable committee amendment, which is in the bill and which will be taken out when we come to consider the bill under the 5-minute rule.

That will save some \$400,000, and the total saved by the bill will amount to \$1,645,000 over a period of 8 years.

I can understand that there is a controversial element in the provision that the young lieutenant may go out in 7 years. Josephus Daniels told me the other day that this selection-up bill, going down as it does to lieutenant, is a good bill, and that he hoped it would pass. He said that even 5 years was plenty of time to determine a young officer's qualifications. It would be plenty of time in any large commercial or industrial institution.

In addition to the 7 years' commissioned service the junior lieutenant has had 4 years of intensive training at the Naval Academy, where his marks have been kept and are jacketed, so that when he is considered for promotion he has had really 11 years intensified service—7 years on

the high seas, where the officers have had an opportunity to determine his capabilities for selective promotion.

The balance of them, 90 percent, would go up. They go up almost automatically because of the great number of vacancies in the next grade, but under the provisions of this bill they will be selected. The gentleman from New York [Mr. TABER] a moment ago said that we had so many line officers that we did not know what to do with them, and that we accordingly sent them to post-graduate courses. Then he said there were some 5,900 in the line of the Navy. The truth of the matter is that today there are only 221 out of 5,900 officers in post-graduate courses.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. TABER. I did not say that there were 6,200 now in the Navy in line officers. I said that the appropriation bill for 1935 carried funds for 5,900.

Mr. BRITTEN. But the gentleman said that we have so many of them that we were sending them into post-graduate courses, because we did not know what else to do with them.

Mr. TABER. Certainly.

Mr. BRITTEN. That is what the gentleman said?

Mr. TABER. Yes.

Mr. BRITTEN. Out of those 5,900 only 221 are in 10 or 12 post-graduate schools, scattered throughout the United States. That certainly is not a serious number.

Mr. OLIVER of Alabama. Mr. Speaker, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. OLIVER of Alabama. I think the gentleman from New York [Mr. TABER], as well as all others who have given any thought to this will recognize that post-graduate courses are most important.

Mr. BRITTEN. Of course.

Mr. OLIVER of Alabama. And should not be eliminated.

Mr. BRITTEN. In those post-graduate schools, scattered throughout the Nation, 172 of the 221 are at Annapolis. They have had 7 years' service at sea. In the University of California there are 16, 14 studying marine engineering and 2 radio engineering; in the University of Michigan 4 in aeronautical engineering and ordnance; in the Carnegie Institute 1; at George Washington 8; Rennselaer Institute of Technology 1; Harvard 6; Massachusetts Institute 9. A total of 221. Not an important item.

Mr. MARTIN of Oregon. Does the gentleman think there are enough in these schools? Does the gentleman realize during the war, during the most intense fighting, we pulled officers off the fighting line to put them into schools?

Mr. BRITTEN. I think it is very important to give them this intensive training.

There are only two elements in this bill, and on each of them there can be a difference of opinion. Without going into all of the figures in the various grades, and all that sort of detail, this bill does two things. It provides for commissioning all the boys who graduate successfully at the academy this year. If we are not for that, then let the gentleman from New York [Mr. TABER], or someone else, bring in an amendment to reduce our appointments to the Naval Academy from 3 to 2. That will be the way to do it, and you will save a lot of money if you do not want that many officers. The other important item is the extension of the selection system that has been employed successfully in the Navy for 18 years. They have been promoting officers in the line of the Navy by selection for 18 years and with great success. It is true they only went down to the grade of lieutenant commander, but now they desire to go down two more grades, because they have found that many boys who come out of the Naval Academy should not be kept in for 21 years before retirement. Under existing law, where promotion by seniority prevails, a boy who successfully leads his class may remain at the head of that class for more than 20 years after graduation. He would stay at the top of that class and every class following his for years, just so he could pass his professional examinations.

This bill will provide something quite different from the old seniority system. It will provide that where a boy falls down during his first 21 years, where he does not show the proper aptitude for the control of men and mechanics, he will automatically go out of the service. You and I know the type of boy we send to the Naval Academy. They are as fine type of boy as you will find any place in the world, but they are not all capable of managing men and mechanical equipment. That develops only after they come out of the academy, after they have studied intensely and had at least 7 years at sea. Then, and then only, can you determine whether they are qualified to handle men and ships. Those that are not will go out, as they should. The gentleman from Georgia [Mr. VINSON] has told you that the Treasury will save in the first 8 years \$1,645,000. That will be done by taking these boys out of the service, separating them from the full salary, and giving them retired pay of 2½ percent for each year of service. If they have served 7 years they will get two and a half times 7. A young lieutenant's retirement pay is \$350 a year; not much, but at least they keep him on the pay roll so that he may be useful as a reserve officer, and in time of war he would be a very valuable man, and we are paying something because he failed in his great objective. He wanted to be an officer in the Navy, but all men cannot be officers and all men cannot be promoted. The gentleman from New York [Mr. TABER] said a moment ago that we have too many officers in the Navy. Five thousand four hundred and ninety-nine is the authorized number.

That was the authorized number when President Hoover was Commander in Chief of the Army and Navy. Since May of last year we have either completed or we have appropriated for and now have in the course of completion 62 ships. Those ships will require officers. They will require men. Last month we passed the Vinson bill authorizing appropriation for 102 additional ships. That makes 164 ships. One hundred and sixty-four new ships will go into the Navy within the next 4 years. They will require hundreds of officers and thousands of men. You cannot make an officer in a year or 2 years or 4 years. It takes 20 or 30 years to make an officer who is capable of commanding a \$40,000,000 investment on the high seas with 1,200 lives aboard that investment.

Mr. MAY. Will the gentleman yield?

Mr. BRITTEN. I would rather not for the time being.

The best expert advice in the Navy advises us that we will not have enough officers. We will need more of them, and they should be efficient. Japan yesterday went on record for 7,000 line officers—and her Navy is much smaller than ours—and 90,000 men. Notwithstanding her Navy being much smaller than ours, she will have between ten and fifteen thousand more men in the service than we have. I would much rather have a ship overmanned than undermanned; I would much rather have a turret overmanned than undermanned, with the highest type brains we can accumulate. Cold steel is not worth a damn in an emergency. You need men to direct it. Talk about so many thousand tons of battleships and so many thousand tons of submarines and so many thousand tons of cruisers. They are not worth a nickel unless they are manned by the very highest type of efficiency in the world. I have always said that man for man and ship for ship we can lick anything on earth, but if we have a 30,000-ton battleship and it is undermanned, if it has only a skeleton crew, you cannot expect that ship to deliver efficiently. It is a physical impossibility. I am for more officers, and so are you if you listen to the Naval General Board and the highest expert authority we have.

Let us have an increased number of officers, even if the gentleman's figures are correct, and they are not, because we are going to take out of service 2 years from June 30 some 800 men in the lower grades, and unless we get an increased authorization from Congress, in 7 or 8 years we shall be commissioning all of the men from the academy, and we will run the total authorization down to 5,499, where it is today. It is true we have several hundred more officers

in the line than 5,499, as was indicated by the gentleman from New York [Mr. TABER]. That has been brought about by the very condition that we aim to cure by this legislation; namely, retirement of those men who are drawing big pay. Do not keep them in there until they are 48 or 50 years old as commanders and then retire them at high pay for life. Retire them now at low pay for life, and let the most efficient remain in the service. That is how you will improve your ships' efficiency, your engineering efficiency, and your target practice.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. BRITTEN. I yield for a question.

Mr. VINSON of Georgia. If you retire a lieutenant after 14 years of service, his retired pay will only be about \$1,080 a year. If you retire him after serving 20 years, it will be \$2,126 a year.

Mr. BRITTEN. Yes; and under existing law you will have to keep him that long.

Mr. MAY. Will the gentleman yield?

Mr. BRITTEN. I yield for a brief question.

Mr. MAY. I am interested in knowing whether this bill will increase or decrease the cost to the Government, or whether there is any additional appropriation.

Mr. BRITTEN. It will increase the cost to the Government over existing law, only to the extent of commissioning the other 50 percent from the Naval Academy.

Mr. MAY. I am strongly in favor of adequate preparedness in the Navy and in the Army, but I want to know how much it is going to cost.

Mr. BRITTEN. It will decrease the cost of pay in the Navy by retiring a lot of the men who cannot go up.

Now, my thought is this: Europe today is sitting on a volcano. Men like Mussolini and Wells and others say there is likely to be an explosion over there before 1935. We can keep out of that explosion if we are strong. They talk about a possible emergency existing in what they call the Far East—Japan. If something happens over there, we can keep out of that if we are strong. If we are not, we will be dragged into it.

The SPEAKER. The time of the gentleman from Illinois [Mr. BRITTEN] has expired.

Mr. HOEPEL. Will the gentleman yield himself more time so that he can answer a question?

Mr. BANKHEAD. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER of Alabama. Mr. Speaker, it is gratifying to be able to anticipate from the speeches that have thus far been made that the discussion of this bill will be informing, intelligent, and impassionate. It presents very important legislation, which, if not passed, may very seriously affect the morale of the service. It is interesting to find that the Members who are present this afternoon have evinced a keen desire for full and accurate information about the bill. By implication, this attitude is a fine and deserving tribute to the Navy.

The gentleman from New York [Mr. TABER], whom I hold in very high esteem and who is thoroughly familiar with Navy legislation, will, I am sure, as he indicated in response to the question which I asked, find it necessary to revise downward the figures which he submitted to the House, since evidently his computation was based on an amendment which the committee at first suggested in their report they would insist upon in the House, but which the chairman indicated today would be withdrawn and language recommended by the Department inserted instead.

This will work a substantial reduction in the figures submitted by the gentleman from New York, since such figures were predicated on a different assumption.

Mr. VINSON of Georgia. In this connection, if the gentleman will yield, the bill will then be in accord with the financial program of the Chief Executive?

Mr. OLIVER of Alabama. Yes. Now, I do not understand that the gentleman from New York [Mr. TABER] has any serious objection to what I consider, after all, to be the most important part of the bill, namely, the selective

promotion of officers in the grade of lieutenant and lieutenant (junior grade), rather than continue the present system of promotion according to seniority.

Mr. TABER. I was a little afraid there might be some misinterpretation.

Mr. OLIVER of Alabama. I am quite familiar with the views of the gentleman from New York in regard to naval legislation, because I remember certain amendments which the gentleman has offered at previous sessions of Congress which, had they been favorably acted on, would have resulted in substantial savings to the Treasury.

There are many lieutenants in the Navy now, who, because existing law provides a different pay scale for officers falling in a certain class or group, are receiving much higher pay than other lieutenants. There are some lieutenants, for instance, who are today receiving more than \$6,500, including allowances, which, in many instances, is much higher than many commanders are receiving, and more than some captains under whom these lieutenants serve. I think the statement was made that in one of the ship groups on the western coast last year, there were 20 lieutenants, serving under an admiral in the lower grade, who were receiving higher pay than the admiral. Now, of course such disparity of pay seriously disturbs the morale of the Service.

The effect of this bill will be that at the proper time many of these officers will be retired in a way that is absolutely fair and just to them. For instance, some now receiving over \$6,500, would be retired at \$3,375, even though they are still lieutenants. This is due to a strange and unusual pay bill passed in 1922, and which someone has said would require a week's hard study to understand, but which I think will require 2 weeks of hard study to interpret. By reason of the pay bill passed in 1922, one scale of pay was given to the officers then in the service, and an entirely different scale of pay was fixed for those who came into the service after July 1, 1922. I might put it even stronger. There is one scale of pay for those who came into the Navy service from the Naval Academy after June 30, 1917, and an entirely different scale of pay for many who came into the Service from the academy prior to that time, and for some who were taken into the service in 1920 through channels other than the Naval Academy. The selective feature of the bill is most important and it is pleasing to note that as to this there seems to be a unanimity of sentiment. I regret that lack of time will prevent me from discussing the pay bill of 1922, to which I filed a minority report at the time of its adoption.

[Here the gavel fell.]

Mr. BANKHEAD. Mr. Speaker, I move the previous question on the adoption of the resolution.

The previous question was ordered.

The committee amendment was agreed to.

The resolution was adopted.

EVERGLADES NATIONAL PARK

Mr. BANKHEAD, from the Committee on Rules, submitted the following privileged report on the bill (H.R. 2837), to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes (Rept. No. 1635) for printing in the RECORD under the rule:

House Resolution 334

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H.R. 2837, to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes, and all points of order against said bill or any amendment recommended by the Committee on the Public Lands are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the Chairman and ranking minority member of the Committee on the Public Lands, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

INLAND WATERWAYS CORPORATION ACT

Mr. BANKHEAD, from the Committee on Rules, submitted the following privileged report on the bill (S. 2347), an act to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended (Rept. No. 1634), for printing in the RECORD under the rule:

House Resolution 383

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 2347, an act to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended. After general debate, which shall be confined to the bill and shall continue not to exceed 30 minutes, to be equally divided and controlled by the Chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion, except one motion to recommit.

FOREIGN TRADE ZONES

Mr. O'CONNOR, from the Committee on Rules, submitted the following privileged report on the bill (H.R. 9322) to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States to expedite and encourage commerce, and for other purposes (Rept. No. 1636) for printing in the RECORD under the rule:

House Resolution 381

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H.R. 9322, a bill to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States to expedite and encourage commerce, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the Chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion, except one motion to recommit.

BANKRUPTCY LAWS

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to appoint an additional conferee in the matter of the conference with the Senate on the bill (H.R. 5884) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none, and appoints Mr. OLIVER of New York as an additional conferee. The Clerk will notify the Senate of the appointment.

PROMOTION BY SELECTION IN THE LINE OF THE NAVY IN THE GRADES OF LIEUTENANT COMMANDER AND LIEUTENANT

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 9068) to provide for promotion by selection in the line of the Navy in the grades of lieutenant commander and lieutenant; to authorize appointment as ensigns in the line of the Navy all midshipmen who hereafter graduate from the Naval Academy; and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H.R. 9068, with Mr. BEAM in the chair.

The Clerk read the title of the bill.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with, and that the bill be printed in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The bill is as follows:

Be it enacted, etc., That except as otherwise provided in this act, the provisions of existing law with reference to promotion by selection in the line of the Navy and the retirement of officers who are not on the promotion list or who are found not professionally qualified are hereby extended to include and authorize promotion to the grades of lieutenant commander and lieutenant, and the retirement of lieutenants and lieutenants (junior grade). The number to be recommended for promotion to each such grade and to be placed upon the promotion list shall be furnished the selection board for that grade by the Secretary of the Navy and shall be the number of existing vacancies in the grade concerned plus such additional number, if any, as the needs of the service may require.

SEC. 2. That lieutenants (junior grade) who on June 30 of the year of the convening of the board shall have had 3 years' service in the grade of junior lieutenant shall be eligible for consideration for selection for promotion to the next higher grade.

SEC. 3. That the board for the recommendation of line officers for promotion to the grades of lieutenant commander and lieutenant shall consist of 9 officers on the active list of the line of the Navy above the rank of commander, not restricted by law to the performance of shore duty only, at least 1 of whom shall be a rear admiral.

SEC. 4. That for the purpose of extending section 3 of the act of March 3, 1931 (46 Stat. 1483; U.S.C., supp. VII, title 34, sec. 286a), to officers below the rank of lieutenant commander, the said section is amended so that the length of service therein prescribed shall be 14 years for lieutenants and 7 years for lieutenants (junior grade): *Provided*, That no officer of said rank shall become so ineligible prior to June 30 of the second calendar year following the date of this act: *And provided further*, That the restriction on the number of involuntary transfers in any fiscal year to the retired list prescribed in section 7 of the act of March 3, 1931 (46 Stat. 1484; U.S.C., supp. VII, title 34, sec. 286e), shall not apply to the grade of lieutenant and lieutenant (junior grade).

SEC. 5. That section 1 of the act approved May 6, 1932 (47 Stat. 149; U.S.C., supp. VII, title 34, sec. 12), is hereby amended by inserting the word "hereafter" after the words "midshipmen who", and the words "*Provided*, That all former midshipmen graduated in 1933 who received a certificate of graduation and honorable discharge may, upon their own application, if physically qualified, and under such regulations as the Secretary of the Navy may prescribe, be appointed as ensigns prior to June 1, 1934, in accordance with this section and shall take rank next after the junior ensigns appointed in 1933 and among themselves in accordance with their proficiency as shown by the order of merit at date of graduation: *And provided further*", after the words "Naval Academy" and by striking out "in 1932, and at least 50 percent of all graduates in subsequent years: *Provided*", so that as amended the said section will read as follows:

"That the President of the United States is authorized, by and with the advice and consent of the Senate, to appoint as ensigns in the line of the Navy all midshipmen who hereafter graduate from the Naval Academy: *Provided*, That all former midshipmen graduated in 1933 who received a certificate of graduation and honorable discharge may, upon their own application, if physically qualified, and under such regulations as the Secretary of the Navy may prescribe, be appointed as ensigns prior to June 1, 1934, in accordance with this section and shall take rank next after the junior ensign appointed in 1933 and among themselves in accordance with their proficiency as shown by the order of merit at date of graduation: *And provided further*, That the number of such officers so appointed shall, while in excess of the total number of line officers otherwise authorized by law, be considered in excess of the number of officers in the grade of ensign as determined by any computation, and shall be excluded from any computation made for the purpose of determining the authorized number of line officers in any grade on the active list above the grade of lieutenant (junior grade) until the total number of line officers shall have been reduced below the number otherwise authorized by law."

SEC. 6. That hereafter any staff officer on the active list below the rank of lieutenant commander shall be advanced to the next higher rank in his corps when the running mate of such staff officer or an officer junior to such running mate has been promoted to that higher rank in the line of the Navy or when a vacancy in that rank exists in the line of the Navy which will in due course be filled by the promotion of his running mate or an officer junior to his running mate: *Provided*, That such staff officer is found qualified in accordance with law for such advancement. The provisions of law relating to the advancement of staff officers now embodied in sections 255, 321, and 348r of title 34, supplement VII, United States Code, are hereby amended in accordance with this section.

With the following committee amendments:

Page 2, line 15, strike out the word "lieutenants" and insert in lieu thereof the word "lieutenant."

Page 3, line 2, strike out the word "second" and insert the word "first."

Page 3, lines 4 and 5, strike out the words "the restriction on the number of involuntary transfers in any fiscal year to the retired list" and insert in lieu thereof "officers of the grade of lieutenant designated for retention on the active list as."

Page 3, lines 8, 9, and 10, strike out "not applied to the grade of lieutenant and lieutenant (junior grade)" and insert in lieu thereof "be carried as additional numbers in the grade of lieutenant, but shall be included in the total authorized number of commissioned officers of the active list of the line of the Navy and of any grade to which later promoted."

Page 3, line 24, strike out the word "ensigns" and insert in lieu thereof the word "ensign."

Page 5, line 16, strike out the words "supplement VII."

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the bill under consideration is a personnel bill submitted by the Navy Department and, as introduced in the House, has the approval of the administration. It provides for promotion by selection in the line of the Navy in the grades of lieutenant commander and lieutenant and authorizes the appointment as ensigns in the line of the Navy all midshipmen who hereafter graduate from the Naval Academy.

Under the present law, there are two methods of promotion in the Navy—by selection and by seniority. Under the selection system, which is in effect from the grades of lieutenant commander and up, a board of admirals goes over the efficiency records of the eligible officers and recommends for promotion those considered best fitted to perform the duties in the next higher grade. Officers not recommended for promotion are, after a certain number of years of commissioned service, automatically placed on the retired list.

The objective and purpose of this bill is to extend the selection to the next two lower grades; that is, to the grades of lieutenant and lieutenant (junior grade). The only grade in the Navy to which selection will not apply is that of ensign.

Therefore, you will observe that by extending selection to the next two lower grades, that is, lieutenant and lieutenant (junior grade), there will be a uniform method of promotion, and it will all be by selection, except in the rank of ensign, and the officer who stays in that rank 3 years is automatically eligible for promotion to the rank of lieutenant (junior grade).

Under the present law an officer with the rank of lieutenant (junior grade) remains in that grade until there is a vacancy in the next higher grade, when promotion is made by seniority, and the same is true with reference to an officer who has the rank of a lieutenant; however, the law only permits a lieutenant commander to remain in that grade until he has completed 21 years of commissioned service, and if he fails to be selected by the selection board by that time, he automatically goes on the retired list. The same applies to a commander with 28 years commissioned service and to a captain with 35 years.

You will observe, therefore, that the Navy deems it highly important to have officers of certain age in the various ranks commensurate with the duty and responsibility required of that rank, and that is what this bill proposes to do—it will thus make uniform the periods of maximum commissioned service for each of the grades, namely, lieutenant (junior grade) 7 years; lieutenant, 14 years, lieutenant commander, 21 years; commander, 28 years; and captain, 35 years. An admiral automatically retires on reaching the age of 64.

By the system of promotion by seniority there exists in the ranks of lieutenant and lieutenant (junior grade), what is referred to as a "hump" or "stagnation" of officers in these two grades. During the World War a great many Reserve officers and noncommissioned officers were given temporary commissions, and by the act of June 4, 1920, a considerable number of these temporary appointments were made permanent. This therefore brought into the line of the Navy approximately 1,000 officers, the majority of them being in the ranks of lieutenant and lieutenant (junior grade). At the same time there were large classes at the Naval Academy that were graduated in 1919, 1920, and 1921. These were the two things that produced the hump or stagnation now existing in the ranks of lieutenant and lieutenant (junior grade).

To relieve this condition it becomes necessary that legislation as set forth in this bill be enacted, for it will estab-

lish a normal flow of promotion into the grades of lieutenant commander and lieutenant, and, on the other hand, it will eliminate from the active list of the Navy those officers least fit to perform the duties of the next higher grade. Let me present to you exactly the picture as a result of the promotion by seniority in the two grades covered by this bill. There are about 1,200 officers in the lieutenant's group causing the hump in that grade.

At the present time the average number of promotions from the lieutenant's grade is in the neighborhood of 100 annually. With this number of promotions yearly it will require about 12 years to get through this large group of officers who all entered the service within the short period of 3 years. All other things being equal, they should all be promoted within about the same period of time; that is, 3 years. Nevertheless, under existing conditions it will require four times as long for them to be promoted as it should be normally.

Due to this slow promotion in the lieutenants' grade, promotion in lieutenants (junior grade) grade is consequently slowed up. Without the legislation in this bill this condition will grow progressively worse, and in a very few years' time the Navy will be in an intolerable position with reference to its officer personnel. It will tend to approach the condition that existed before there was a selection-out or selection-up system, and when all promotions were by seniority only.

Mr. Chairman, I want to assure you that the provisions of this bill in relation to selection is not an innovation in the promotion system of the Navy, but it is simply extending it to apply to 5 grades instead of to 3 as it is at present. This bill is not drawn to operate against any class or special group of officers, nor does it in any way provide for any increase in the number of officers in any of the grades above ensign.

To select and develop potential leaders and to promote the efficiency of the Navy as a whole it is essential that, within certain limits, the several grades should contain line officers whose ages are suitable for their respective duties and responsibilities, and at the same time give all line officers affected an equal opportunity for selection, having in view solely the special fitness of officers and the efficiency of the naval service. This in substance is what this bill proposes to do.

In addition to the promotion provisions, this bill also provides for the commissioning of all graduates of the Naval Academy. Ships and aircraft already authorized and building, together with legislation providing for a complete treaty Navy, will eventually require a considerable increase in the authorized officer strength of the Navy.

For the ships now built and building under the increased Navy and N.I.R.A., and exclusive of any ships or aircraft projected under the treaty Navy bill, there will be required the following number of line officers:

Fiscal year:	
1935, including 997 aviators.....	6,263
1936, including 997 aviators.....	6,387
1937, including 997 aviators.....	6,630
1938, including 997 aviators.....	6,748

At which point, unless more ships and planes are built under the authority of the treaty Navy bill, no more officers will be required.

On a three-appointment basis, under this proposed bill, the strength of the line will increase slightly the first 2 years and, thereafter, will gradually be reduced until it is below the authorized strength of 5,449. It will, therefore, be necessary, at a later date, to increase the number of appointments to the Naval Academy for each Senator and Congressman and to authorize an increase in the officer strength of the line of the Navy, if we are to have a fully manned treaty Navy. Of the additional line officers that will be required, approximately 50 percent are for aviation.

The foregoing figures show the necessity for commissioning as ensigns all midshipmen graduating from the Naval Academy, including those of the class of 1933, who were

honorably discharged upon graduation, provided they qualify physically and conform to such rules as are laid down by the Secretary of the Navy.

Of course you know that the present authorized line-officer strength of the Navy is 5,499. This strength is distributed on a percentage basis: 1 percent admirals; 4 percent captains, 8 percent commanders, 15 percent lieutenant commanders, 30 percent lieutenants, 42 percent lieutenants (junior grade) and ensigns.

A distribution in the grades of the officers is as follows:

Rear admirals.....	55
Captains.....	220
Commanders.....	440
Lieutenant commanders.....	825
Lieutenants.....	1,650
Lieutenants (junior grade) and ensigns.....	2,309

This authorized strength and the percentages were considered appropriate when they were first established and when the Navy was made up mostly of large ships; however, since that time the proportion of small ships to large ships has materially increased. This relative increase in the number of smaller ships, as well as keeping abreast of the latest development in fire control, radio, and other highly technical improvements on our combatant vessels, will require an increase in the authorized strength as well as a comparative change in the distribution of officers in the various ranks of the Navy.

It being recognized that for their relative size small ships require a different proportion of officers in certain grades than would be required on a battleship; however, this particular question is not under consideration now; nevertheless, it is closely related, and in passing I might say that this matter will be given serious study by the Committee on Naval Affairs during the next Congress.

Incidental to the main purposes of the bill is the saving of money. The bill eliminates lieutenants after 14 years of commissioned service and lieutenants (junior grade) after 7 years' commissioned service when they fail to be selected, and places them upon the retired list.

Those officers retired under this act will receive 2½ percent of their active-duty base pay multiplied by the number of years' service for which they are entitled to credit in computation of longevity pay, not to exceed a total of 75 percent. The retired pay of a lieutenant with 14 years' service will amount to approximately \$1,008 a year, or \$84 a month. The retired pay of a lieutenant (junior grade) with 7 years' service will amount to \$385 a year, or \$32 a month.

The existing law would retain these lieutenants upon the list, would promote them by seniority to lieutenant commanders, and would eventually retire them at an average rate of pay of over \$3,000 a year.

Under this bill a saving in each case will be effected of over \$2,000 per annum.

If this bill is enacted, it will show a saving in pay of the Navy over existing laws. This saving for a period of 8 years, for the fiscal years 1935 to 1942, will be \$1,643,356.

Fiscal year	Increased cost	Saving
1935.....	\$354,114	.....
1936.....	625,716	.....
1937.....	.....	\$710,433
1938.....	.....	514,177
1939.....	.....	342,535
1940.....	.....	387,338
1941.....	.....	303,480
1942.....	.....	360,223
Total.....	979,830	2,623,186
Total saving.....	.....	1,643,356

I grant you that it might seem to be inconsistent to provide for the elimination of officers on the one hand and at the same time to provide for taking in additional officers from the Naval Academy; however, the need for doing this is to have officers of appropriate ages in the different ranks commensurate with the duty and responsibility required in the grades and at the same time give all line officers affected

an equal opportunity for promotion, having in mind the special fitness of the officers and the efficiency of the naval service.

The average age of the graduates of the Naval Academy is 22 years. In order that officers may receive adequate training to prepare them for the duties in the next higher grades and at the same time to have officers in the various grades of ages appropriate for the duties and responsibilities of the different grades, the maximum length of time they should be in any one grade is 7 years. Therefore, an average-age officer should pass from the junior lieutenant's grade before reaching 29; from the lieutenant's grade before reaching 36; from the lieutenant commander's grade before reaching 43; from the commander's grade before reaching 50; and from the captain's grade before reaching 57.

Now, let me show you what the actual effect will be under the existing system of promotion; that is, by seniority. The Naval Academy class of 1920, who should all be lieutenant commanders by June 30 of this year, at an average of 36, will not all be lieutenant commanders until 1939, or at an average age of 41—when he should be 36, 5 years over age. This condition will continue to be aggravated year after year so that the 1924 class of the Naval Academy will begin to enter the rank of lieutenant commander at an average age of 43—7 years after the time that they should all be lieutenant commanders, and at an age when they should all be in the commander's grade.

This is a condition that must be corrected in the interest of national defense.

It is absolutely necessary that the Navy be manned by the most able officers that the country is capable of producing. This bill insures that condition. [Applause.]

Mr. GOSS. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Connecticut.

Mr. GOSS. Does that mean that the gentleman expects to come in with a bill probably next year for redistribution in grade and rank?

Mr. VINSON of Georgia. That is my thought.

Mr. GOSS. As well as a further authorization in reference to the line officers?

Mr. VINSON of Georgia. Exactly.

In other words, when the selection board passes upon the record of a lieutenant who has served 14 years total commissioned service and he is not suited or the best fitted for promotion, under this proposed bill he will go out of the service. The same thing applies to lieutenants (junior grade).

Mr. McFARLANE. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Texas.

Mr. McFARLANE. Does the gentleman know of selections being made in a similar way in these two ranks by any of the great powers?

Mr. VINSON of Georgia. I am only familiar with our method. I am not familiar with what other countries do with reference to selection, but I may say that this is the fairest method that I know of to make promotions.

Mr. EVANS. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from California.

Mr. EVANS. Does this do away entirely with selections by seniority?

Mr. VINSON of Georgia. Absolutely.

Mr. EVANS. In all the grades?

Mr. VINSON of Georgia. In every grade except ensign, and he automatically goes to the rank of lieutenant (junior grade) after 3 years.

Mr. EVANS. And that rule of seniority applies in part as to all grades now?

Mr. VINSON of Georgia. It does. It applies to the first three grades. It applies to the ranks of admiral, captain, and commander. The object of this bill is to extend it on down to the rank of lieutenant and lieutenant (junior grade).

Mr. EVANS. How are these selection boards created?

Mr. VINSON of Georgia. The bill provides that the Secretary of the Navy shall select one admiral and the remaining members shall be captains.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 7 additional minutes.

Under the existing law the service record of each officer is gone over and the selection board determines whether, in the judgment of the men constituting the selection board, he is the best one suited for promotion.

Under the proposed bill there will be a saving on each one that is retired of the difference between \$1,008 and \$3,000, or approximately \$2,000.

Mr. EVANS. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from California.

Mr. EVANS. Take, for example, a lieutenant, junior grade. When he serves 7 years and there is no room for promotion, is he retired automatically?

Mr. VINSON of Georgia. Not by any means. If the selection board passes on him and he is recommended for promotion by the selection board, under the existing law he goes on what is known as the promotion list and there he remains until a vacancy actually occurs.

Mr. EVANS. And that rule applies to all the other grades?

Mr. VINSON of Georgia. Exactly.

Mr. Chairman, I yield back the remainder of my time.

Mr. BRITTEN. Mr. Chairman, there seems to be such a unanimity of opinion on this bill that I do not care to take up the time of the House with any further discussion.

Mr. VINSON of Georgia. I have no requests for time over here.

Mr. BRITTEN. I think we might start consideration of the bill under the 5-minute rule. The bill is simple and good and one in the interest of improved efficiency in the service. I feel probably there will not even be a roll call.

Mr. VINSON of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. DREWRY].

Mr. DREWRY. Mr. Chairman, I am in favor of this bill. I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DREWRY. Mr. Chairman, I am in favor of this bill. Since August 29, 1916, the system of selection for promotion has been established in the Navy down to the grade of lieutenant commander. The selection system now in existence, without reference to the two grades affected by this bill, seems to me to have worked very well, and it is thought that by extending the system to the grades of lieutenant commander and lieutenant that there will be a further improvement in the system.

The direct purpose of the bill is to correct a condition that exists now in the lower grades of the Navy, owing to the commissioning of large Naval Academy classes after the war, along with several hundred officers from sources other than the academy, the result being a "hump" or stagnation in these lower grades. Such stagnation was hurtful to the service, for as long as the promotion of officers above the two grades brought in in this bill was delayed, the ambition of the younger men and their initiative were affected. The bill provides that after a board decides upon the recommendation of line officers for promotion to the grades of lieutenant commander and lieutenant, and said officers, to a number to be recommended for promotion to each such grade, are selected by the Secretary of the Navy as the needs of the service may require, then there shall be a retirement of those not promoted. This gives all line officers affected by the stagnation aforementioned, as nearly as practicable, an equal opportunity for selection.

It will make the younger officers more ambitious, and there will be very active competition among them for their promotion under this plan, all of which will redound to the efficiency of the service.

This promotion system will also allow the personnel departments of the Navy to keep well in hand the progress of those officers who show themselves most efficient and worthy of higher responsibility.

Those who are retired will be retired at an age when they will be able to go into other work, and they will be absorbed into private enterprises for which probably they will be better fitted.

It has been found, in comparison with other navies, especially the British Navy, that the comparative retirement age of the officers of the British Navy in each grade is at least 4 or 5 years lower than the corresponding retirement in the grades of our Navy. This bill will correct this situation. It is necessary that the several grades should contain line officers whose ages are suitable for their duties and responsibilities. An illustration was given in the hearings which showed that before the next session of Congress, under the operation of existing law, 82 vacancies in the rank of lieutenant commander will be filled by promotion of lieutenants at an age that will average 41 years. It is thought that the average maximum age for entry into the grade of lieutenant commander, to permit sufficient time in the higher ranks to obtain the necessary experience, is 36 years. So that the officers promoted who must remain in the grade of lieutenant commander for 4 years before they are eligible for selection for promotion to the grade of commander will have an average age of 45 years, and 4 years more will elapse before they would normally be reached by the selection board for promotion to commander, at which time they will average 49 years of age. The efficiency of the service would be promoted if this average age were reduced as it is intended to be by this bill, for at the age of 49 years the officer so promoted should be entering the rank of captain instead of commander. In other words, it promotes the younger and more active and ambitious men to the various grades at an age that will be some 4 or 5 years lower than it is under the present law.

It is thought that this bill will provide a minimum period of service within each of the lower ranks so that officers will be thoroughly prepared for the duties of the next higher rank after they have been thoroughly trained, and it also prevents too long a period of service within any one rank.

If it is agreed that the selection system has worked well in the other grades, it is reasonable to believe that it will work just as well, if not better, in these lower grades, to which this opportunity for promotion is extended. The only objection to the plan would be that it would result in an increased cost, if such objection were true, but it is not true, for it is shown by figures submitted that there will be a saving, over a period of 8 years, from 1935 to 1942, over the existing law of \$1,643,356. However, for the first 2 years there will be an increased cost, but the total saving will be over a million and a half dollars for a period of 8 years. It would seem, Mr. Chairman, that there could be no strong objection to the proposed legislation.

The remaining portion of the bill provides that all former midshipmen graduated in 1933, who received certificates of graduation and honorable discharges, may, upon their own application, if physically qualified, and under such regulations as the Secretary of the Navy may prescribe, be appointed as ensigns prior to June 1, 1934, and take their rank after the junior ensigns appointed in 1933, in accordance with their proficiency as shown at the date of graduation.

This legislation is necessary in order that the line-officer strength of the Navy may be brought up to the requirements for the new ships that will be built by 1938. Since the act of May 6, 1932, 7 ships have been completed, and 55 more are either being built or have been appropriated for, making a total of 62 new ships that will be completed within the next 4 years. It is therefore necessary that the midshipmen who under existing law would be discharged to civil life should be retained in the Navy, for their services are needed for the vessels now built and building.

In conclusion, I may say that this bill does not increase the number of any line officers above the grade of lieu-

tenant, nor does it increase the cost of service pay; and it is believed that the bill will accomplish an improvement in the promotion system which will lead to increased efficiency and increased morale in the service.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That except as otherwise provided in this act, the provisions of existing law with reference to promotion by selection in the line of the Navy and the retirement of officers who are not on the promotion list or who are found not professionally qualified are hereby extended to include and authorize promotion to the grades of lieutenant commander and lieutenant, and the retirement of lieutenants and lieutenants (junior grade). The number to be recommended for promotion to each such grade and to be placed upon the promotion list shall be furnished the selection board for that grade by the Secretary of the Navy and shall be the number of existing vacancies in the grade concerned plus such additional number, if any, as the needs of the service may require.

Mr. GOSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I had intended to offer an amendment for the consideration of the House in reference to going to the junior grade of lieutenant in selections. I think myself that it is a mistake that this House goes down to the rank of lieutenant, junior grade, for selection. I have talked with the chairman of the committee, and he does not agree with me, but I want to point out why I feel as I do about the matter.

Mr. DARDEN. Does not the gentleman believe that 10 years' experience is enough to base a selection on?

Mr. GOSS. I may say to the gentleman that there are only 7 years to begin with. I can conceive of some young officer getting under the command of a hard-boiled commanding officer, and we have them and should have them, whereby his efficiency rating may be reduced. It may be the lot of that officer to serve under two such commanders. Then he is automatically retired on \$30 a month.

Mr. VINSON of Georgia. May I call the gentleman's attention to the testimony of the Chief of the Bureau of Navigation at page 1449 of the hearings? Dealing with this question, he stated:

It will be unnecessary to do any radical selection from lieutenant, junior grade.

I do not think the gentleman need be worried about the junior lieutenants.

Mr. GOSS. I think we are making a mistake in going down that far.

I understand in another body they would like to go down even to the grade of midshipman. Where are we going to stop and what are we going to gain by this procedure?

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. GOSS. I yield.

Mr. OLIVER of Alabama. It is quite a stimulus to efficiency for these young men to understand that their records will be gone over at stated times with a view to determining whether they should longer remain in the service.

Mr. GOSS. I agree with the gentleman on that point.

Mr. OLIVER of Alabama. And as the gentleman from Georgia has just stated, the Bureau of Navigation feels that this provision as it relates to junior lieutenants should be liberally construed, and they will take into account all the facts about which the gentleman expressed apprehension.

Mr. GOSS. I may say that there are two schools of thought about the matter. We can all recognize the point that has just been brought out by the gentleman from Alabama, and on the other hand, we have all had experience with officers in the Army and in the Navy which would bear out the other contention.

Of course, I do not want to hold up the matter, but I did want to point out that the House is going pretty far when it goes down to the grade of junior lieutenant.

I was very much interested in the statement of the Chairman of the Naval Affairs Committee and was impressed with his fairness when he told the House what we are to expect when this bill passes. I want to congratulate him upon making this statement, and as one Member I am

very appreciative of what the gentleman has attempted to do here in explaining exactly what is coming next year, and I believe we can consider that as a part of this program.

Mr. VINSON of Georgia. Absolutely.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 3. That the board for the recommendation of line officers for promotion to the grades of lieutenant commander and lieutenants shall consist of nine officers on the active list of the line of the Navy above the rank of commander, not restricted by law to the performance of shore duty only, at least one of whom shall be a rear admiral.

With the following committee amendment:

Page 2, line 15, strike out the word "lieutenants" and insert in lieu thereof the word "lieutenant."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 4. That for the purpose of extending section 3 of the act of March 3, 1931 (46 Stat. 1483; U.S.C., supp. VII, title 34, sec. 286a), to officers below the rank of lieutenant commander, the said section is amended so that the length of service therein prescribed shall be 14 years for lieutenants and 7 years for lieutenants (junior grade): *Provided*, That no officer of said rank shall become so ineligible prior to June 30 of the second calendar year following the date of this act: *And provided further*, That the restriction on the number of involuntary transfers in any fiscal year to the retired list prescribed in section 7 of the act of March 3, 1931 (46 Stat. 1484; U.S.C., supp. VII, title 34, sec. 286e), shall not apply to the grade of lieutenant and lieutenant (junior grade).

With the following committee amendment:

On page 3, line 2, strike out the word "second" and insert the word "first"; and in line 4, after the word "that", strike out the words "the restriction on the number of involuntary transfers in any fiscal year to the retired list" and insert in lieu thereof the words "officers of the grade of lieutenant designated for retention on the active list as"; and in line 8, after the word "shall", strike out the words "not apply to the grade of lieutenant and lieutenant (junior grade)" and insert in lieu thereof the words "be carried as additional numbers in the grade of lieutenant, but shall be included in the total authorized number of commissioned officers of the active list of the line of the Navy and of any grade to which later promoted."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was rejected.

The Clerk read as follows:

SEC. 5. That section 1 of the act approved May 6, 1932 (47 Stat. 149; U.S.C., Supp. VII, title 34, sec. 12), is hereby amended by inserting the word "hereafter" after the words "midshipmen who", and the words "*Provided*, That all former midshipmen graduated in 1933 who received a certificate of graduation and honorable discharge may, upon their own application, if physically qualified, and under such regulations as the Secretary of the Navy may prescribe, be appointed as ensigns prior to June 1, 1934, in accordance with this section and shall take rank next after the junior ensigns appointed in 1933 and among themselves in accordance with their proficiency as shown by the order or merit at date of graduation: *And provided further*", after the words "Naval Academy" and by striking out "in 1932, and at least 50 percent of all graduates in subsequent years: *Provided*", so that as amended the said section will read as follows:

"That the President of the United States is authorized, by and with the advice and consent of the Senate, to appoint as ensigns in the line of the Navy all midshipmen who hereafter graduate from the Naval Academy: *Provided*, That all former midshipmen graduated in 1933 who received a certificate of graduation and honorable discharge may, upon their own application, if physically qualified, and under such regulations as the Secretary of the Navy may prescribe, be appointed as ensigns prior to June 1, 1934, in accordance with this section and shall take rank next after the junior ensign appointed in 1933 and among themselves in accordance with their proficiency as shown by the order of merit at date of graduation: *And provided further*, That the number of such officers so appointed shall, while in excess of the total number of line officers otherwise authorized by law, be considered in excess of the number of officers in the grade of ensign as determined by any computation, and shall be excluded from any computation made for the purpose of determining the authorized number of line officers in any grade on the active list above the grade of lieutenant (junior grade) until the total number of line officers shall have been reduced below the number otherwise authorized by law."

With the following committee amendment:

On page 4, line 1, strike out the word "or" and insert the word "of."

The committee amendment was agreed to.

Mr. AYRES of Kansas. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 4, line 11, after the word "discharge", insert the words "and whether they have since been married or not."

Mr. VINSON of Georgia. Mr. Chairman, we will accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Sec. 6. That hereafter any staff officer on the active list below the rank of lieutenant commander shall be advanced to the next higher rank in his corps when the running mate of such staff officer or an officer junior to such running mate has been promoted to that higher rank in the line of the Navy or when a vacancy in that rank exists in the line of the Navy which will in due course be filled by the promotion of his running mate or an officer junior to his running mate: *Provided*, That such staff officer is found qualified in accordance with law for such advancement. The provisions of law relating to the advancement of staff officers now embodied in sections 255, 321, and 348r of title 34, Supplement VII, United States Code, are hereby amended in accordance with this section.

With the following committee amendment:

Page 5, line 15, after the figures "348r", insert "(supplement VII)", and in line 16, after the figures "34", strike out "supplement VII."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule the Committee will rise.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BEAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill (H.R. 9068) to provide for promotion by selection in the line of the Navy in the grades of lieutenant commander and lieutenant; to authorize appointment as ensigns in the line of the Navy all midshipmen who hereafter graduate from the Naval Academy; and for other purposes, and under the rule he reported the same back with sundry amendments.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. VINSON of Georgia, a motion to reconsider the vote whereby the bill was passed was laid on the table.

DIVERSIFICATION OF CERTAIN INDUSTRIES

Mr. COX, from the Committee on Rules, presented the following privileged resolution for printing under the rule:

House Resolution 369

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H.R. 9404, a bill to authorize the formation of a body corporate to insure the more effective diversification of prison industries, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the Chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for the amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

DISTRIBUTION, PROMOTION, RETIREMENT, AND DISCHARGE OF COMMISSIONED OFFICERS OF THE MARINE CORPS

Mr. BANKHEAD. Mr. Speaker, I call up House Resolution 348.

The Clerk read as follows:

House Resolution 348

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H.R. 6803, a bill to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the Chairman and

ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

With the following committee amendment:

Page 1, line 8, strike out "2 hours" and insert "1 hour."

Mr. BANKHEAD. Mr. Speaker, I desire to make a brief statement. I have had no request for time. This bill is identical in nature with the bill that we just passed. This bill is for the Marine Corps. Unless there is some request for time, I move the previous question.

The previous question was ordered.

The committee amendment was agreed to.

The resolution as amended was agreed to.

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 6803) to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. BOYLAN in the chair.

The Clerk read the title of the bill.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with and that it be printed in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The bill is as follows:

Be it enacted, etc., That hereafter commissioned officers of the Marine Corps shall be distributed in grades, promoted, retired, and discharged in like manner and with the same relative conditions in all respects as are provided for commissioned officers of the line of the Navy, by existing law, or by laws hereafter enacted, except as may be necessary to adapt the said provisions to the Marine Corps, or as herein otherwise provided.

Sec. 2. That of the authorized number of commissioned officers above the grade of colonel, one shall be the Major General Commandant, one half shall be brigadier generals, and the remainder shall be major generals.

Sec. 3. That the heads of staff departments shall be general officers while so serving, in addition to the number of general officers otherwise herein provided, one with the rank, pay, and allowances of a major general, and the remainder with the rank, pay, allowances of a brigadier general. They shall be carried in the grades or ranks from which appointed.

Sec. 4. That promotion to major general of the line shall be by seniority from brigadier generals of the line.

Sec. 5. That in computing the number of colonels to be recommended for promotion or to be designated for retention on the active list the general officers of the line shall be considered as constituting the grade next above that of colonel.

Sec. 6. That commissioned service of officers for the purpose of this act shall consist of all commissioned service on the active list of the Marine Corps, whether under a temporary or permanent appointment, and all commissioned service on active duty in the Marine Corps Reserve.

Sec. 7. That selection boards shall consist of officers on the active list of the Marine Corps, the composition and procedure of the boards to be determined by the Secretary of the Navy.

Sec. 8. That administrative staff duty performed by any officer under appointment or detail, and duty in aviation, or in any technical specialty, shall be given weight by the selection board in determining his fitness for promotion equal to that given to line duty equally well performed.

Sec. 9. That section 1493, Revised Statutes (U.S.C., title 34, sec. 665), is so far amended in its application to the Marine Corps as to require that no officer shall be promoted to a higher grade, excepting in the case provided in section 1494, Revised Statutes (U.S.C., title 34, sec. 566), until he has been examined by a board of naval medical officers and pronounced physically fit to perform all his duties at sea and in the field.

Sec. 10. That the requirement of sea service in grade shall not apply to promotion of officers of the Marine Corps, and officers in the upper four sevenths of the grades of colonel, lieutenant colonel, and major, respectively, as established by the first section of this act, shall be eligible for consideration by selection boards and for promotion without regard to length of service in grade.

Sec. 11. That an officer whose name is placed on an eligible list for appointment as head of a staff department shall not be again considered for that office by any subsequent selection board, except as otherwise provided in this section, and shall, in respect

to involuntary retirement, be in the same status as if on a promotion list: *Provided*, That the Secretary of the Navy may, in his discretion, with the approval of the President, remove his name from such list and submit it to the next ensuing selection board for consideration and recommendation. If recommended for appointment by said board and approved by the President, the name of such officer shall be replaced on the eligible list from which removed without prejudice by reason of its having been temporarily removed therefrom. If not recommended by said board, such officer shall be subject to involuntary retirement under the same conditions as provided for in the case of an officer whose name is not on a promotion list.

Sec. 12. That for the purposes of distribution and promotion in the Marine Corps grade and rank shall be considered as meaning the same.

Sec. 13. That the Major General Commandant shall be appointed as now provided by law.

Sec. 14. That the selection board recommending colonels for promotion shall recommend the number of officers of the rank of colonel directed by the Secretary of the Navy for appointment as head of each staff department, and the names of officers so recommended, approved by the President, shall be placed on an eligible list for such appointment, one list for each department. As vacancies occur hereafter, heads of staff departments shall be appointed for 4 years from officers whose names appear on the eligible lists for the respective departments.

Sec. 15. That section 7 of the act of March 4, 1925 (43 Stat.L. 1272; U.S.C., title 34, secs. 624, 630, 663, 669, and 684), and all other laws and parts of laws, insofar as the same are inconsistent with or in conflict with the provisions of this act, are, except as they apply to officers heretofore retired thereunder, hereby repealed.

Sec. 16. That officers of the Marine Corps in the ranks or grades of lieutenant colonel and major shall not be retired because of not being on a promotion list or on an eligible list for appointment as head of a staff department, and shall be eligible for consideration for promotion by promotion boards without regard to completion of 28 and 21 years' service, respectively. Upon promotion or advancement after the approval of this act, with the exception of the Major General Commandant, heads of staff departments with the rank of brigadier general, an officer of the Marine Corps who may be appointed as Judge Advocate General of the Navy, and commissioned warrant officers, which officers shall receive the pay and allowances provided by law for their rank, commissioned officers of the Marine Corps shall receive the pay and allowances of the grade or rank from which promoted or advanced: *Provided*, That officers in the grades or ranks stated shall receive the pay and allowances of the grades or ranks in which serving upon attaining the number on the lineal lists of such grades or ranks, as follows: Major general, 2 (excluding the Major General Commandant); brigadier general, 4; colonel, 35 (common list); lieutenant colonel, 38 (common list); major, 80; captain, 254; first lieutenant, 220.

With the following committee amendments:

Page 2, line 13, after the word "be", strike out the words "by seniority."

Page 2, line 24, after the word "of", insert "not less than six."

Page 3, line 2, after the word "Navy", strike out the period, insert a colon, and the following: "*Provided*, That no officer shall be recommended for advancement unless he shall have received the recommendation of not less than two thirds of the members of the board."

Page 3, line 16, strike out the figures "566" and insert "666."

Page 3, line 20, strike out the word "Corps" and insert "Corps;".

Page 3, line 22, strike out "of colonel, lieutenant colonel, and major, respectively" and insert "below brigadier general, subject to selection."

Page 4, line 1, after the word "grade", strike out the period, insert a colon, and the following: "*Provided*, That no officer of the Marine Corps shall be ineligible for consideration for promotion by reason of completion of length of commissioned service until he shall have been once considered by a selection board."

Page 5, line 23, after the word "by", strike out the word "promotion" and insert the word "selection."

Page 5, line 25, after the word "years", insert the word "commissioned."

Page 6, line 17, strike out "54" and insert "56."

Page 6, line 18, strike out "20" and insert "24."

Mr. VINSON of Georgia. Mr. Chairman, I yield 20 minutes to the gentleman from Virginia [Mr. DARDEN].

Mr. DARDEN. Mr. Chairman, I trust the gentlemen will give me their attention. I promise I shall not trespass long upon the time of the House in the consideration of this matter. I regret that the gentleman from Pennsylvania [Mr. BOLAND] is unable to be here today. He was chairman of the subcommittee that heard this bill. He is so well acquainted with it that it is with hesitation that I attempt to take his place and present it to the Committee.

You heard the argument dealing with the Navy. This bill not only seeks to do for the Marine Corps what the previous bill did for the Navy, but it goes a step beyond

that. Never in its history has selection been applied to the Marine Corps, except in the selection of its highest officers. Heretofore practically all promotion has been by seniority. The Navy abandoned this system almost 18 years ago. The system as applied to the Navy has worked excellently, and it is for that reason that we are anxious to apply it to the Marine Corps, not only because it has been a good system, but because the Marine Corps is an integral part of the naval service and should be governed by personnel laws applicable to the Navy. The Marine Corps is a small organization. There are only 1,024 officers in the corps, and on the 1st of July next there will be 16,000 enlisted men. There are now slightly under that number of enlisted personnel.

The Marine Corps finds itself subject to the most dangerous disease that can affect any military organization, and that is that its officers are well over age. The officers now comprise 1 Major General Commandant, 2 major generals of the line, 6 brigadier generals of the line, 3 brigadier generals of the staff, 44 lieutenant colonels and 34 colonels, 124 majors, 329 captains, 275 first lieutenants, and 206 second lieutenants. There is in the Marine Corps no separate line. All the officers are on one lineal list. It has no staff, as has the Navy. This bill, if passed, will apply to all the officers of the Marine Corps and affect them alike.

I want to leave the bill now for a short time and tell you why we feel it is so necessary that this legislation be enacted and be enacted promptly. The Marine Corps, being a small organization, has to be ready for service with the fleet at any time to be effective. Its duties, by nature, are very arduous. They require not only young men in the enlisted personnel but they require young men in the officer personnel, young men who are ready and willing at all times to enter the most difficult field service in connection with operations with the fleet. Unless the Marine Corps is in this condition, there is no use having it at all. Unless it is prepared for instant service, and unless it is well prepared and officered by young men who are capable and able to stand the rigors of a difficult campaign, we might as well abolish it, because it is neither ready nor is it efficient.

It has had a glorious history. Many of you know that probably as well as I. It is older than the Constitution itself. It has never been found wanting in case of emergency and it has always acquitted itself with honor. It has reflected credit on the United States, and it will do so in the future if we are prepared to give it the legislation it needs and that it deserves, in order to correct the present situation.

I want to read very briefly what General Pershing had to say about the question of young officer personnel. He gave it close attention. Immediately upon his arrival in Europe he was faced with this particular problem, and in July 1917 he cabled the War Department in reference to the situation. I shall now read a part of that cable:

My observation of the British and French Armies and most exacting, arduous service at the front, fully convinces me that only officers in full mental and physical vigor should be sent here. Contrary course means certain inefficiency in our service and possible later humiliation of officers concerned. General officers must undergo extreme effort in personal supervision of operations in trenches. Very few British or French division commanders are over 45 or brigadiers over 40. We have too much at stake to risk inefficiency through mental or physical defects. Strongly recommend condition be fully considered in making high appointments, and suggest that no officer of whatever rank be sent here for active service who is not strong and robust in every particular. Officers selected for appointment general officer of line should be those with experience in actively commanding troops. Officers not fulfilling above conditions can be usefully employed at home training troops.

General Pershing never altered his opinion as to this vital problem. In a letter to the Secretary of War in October 1917 he again emphasizes it by saying:

Both the British and French higher officers emphasize in the strongest terms the necessity of assigning younger and more impressionable men to command brigades and divisions. We would commit a grave error if we fail to profit by their experience. A division commander must get down into the trenches with his men and is at all times subject to severe hardships. * * * The French Army was filled with dead timber at the beginning of

the war, and many French failures are due to this fact. General officers must be fitted physically and mentally, must have experience, and must have go and initiative if they are to fill positions fraught with such momentous consequences to the Nation and which involve the lives of thousands, perhaps hundreds of thousands, of our men.

Then, after the great conflict had passed and he had had an opportunity to view the matter more comprehensively, General Pershing had this to say in his book:

After visits to units that had lately joined, further attention was given to qualifications necessary in our higher officers. The British and French both had commented unfavorably upon the evident inactivity of many of them and even upon the infirmities of some of the division commanders who had been sent over during the preceding months to observe and study conditions at the front. It had been proved over and over again by the Allies that only the strongest could stand the continuous and nerve-racking strain of battle.

Now, gentlemen, that is what is required in an effective fighting organization. That is what we have always intended and expected the Marine Corps to be, and, unless we are prepared to enable it to meet that test now, we are doing it a great injustice.

I have quoted from General Pershing because, as you know, his words are entitled to great respect. He commanded the American forces in the greatest struggle civilization has ever seen. If you will glance back over the pages of history, you will find he was justified in making these statements.

Julius Caesar was consul at 41, and during the next 10 years was governor of the western provinces of Rome, the scene of his brilliant military successes. He returned to Rome a little after 50, and, of course, as you know, was assassinated several years later.

Alexander the Great was a young man when he overran Europe and Asia, dying at 33, complaining that no more worlds were left to conquer.

Hannibal was 25 when he took command of the Army and Province of Spain. He was 29 when he crossed the Pyrenees and crushed the Roman legions at the Trebbia, and at the age of 31 he was the greatest victory of his career at Canne.

But let us turn from these ancient figures to those leaders of more recent times. Out of the terror and horror of the French Revolution stepped Napoleon, a boy of 26, who gathered around himself the tattered remnants of the armies of France and started on that career which was within a few years to make him master of Europe.

At 27 he commanded the French armies in Italy against Austria and by a series of brilliant campaigns defeated the Austrians who had regarded him as but an accidental leader of an ineffective mob. Officered by old men, they were no match for that genius of 27, who surrounded himself with officers who were young, energetic, and capable.

Genghis Kahn, of course, was a general much younger than that, but was a general also much older than that. It is a remarkable thing that he, starting from the plateau of Asia, a commander of a large body of troops in his very early twenties, he knocked at the gateway of Europe with cavalry, which has never been excelled and which was commanded by men under 30. Later he carried on his operations from his headquarters in Asia, 2,000 miles away, by pony express.

We come down to later times and we find that the leaders in our Civil War were comparatively young men. Lee was somewhat an exception. Lee left the service of the United States at 54 to take command of the armies of Virginia and the armies of the South, but Jackson was in command at 37. Mosby and Stuart were both under 30 at the outbreak of the war. Sheridan was 30. McClellan was 35 and Grant 37 at the outbreak of hostilities. All of these young men, within the time of 4 years, became great leaders in the field.

I want to read a few lines from General Hunter Liggett's book with reference to young men in command in the A.E.F. General Liggett said:

Some of the finest officers we had went to pieces under the emotional strain of command, fearful at the best, intensified here by the knowledge that they were leading troops only partially

trained against the best organized and most skillful man-killing machine ever set going. * * * They were much more frequent among older officers of higher rank than among lieutenants, captains, and majors who had physical discomfort added to responsibility.

It is entirely reasonable for us to suppose that the future is going to be even more difficult than the past. Our armies are rapidly becoming mechanized. Not only must they be commanded by young men with an agile, young body, but they must be commanded by men with young minds.

I want to read you what Major General Russell, who presented this case for the Marine Corps at the time he appeared before the Naval Affairs subcommittee which had this bill under consideration, said. He is a man of illustrious service. He is now head of the Marine Corps. I do not know of any person in the United States more entitled or better qualified to speak in its behalf than is General Russell. He said:

Because of the active nature of its peace-time service and the necessity for its immediate readiness to support the fleet in the event of war, the Marine Corps must have a vigorous officer personnel. It has not a great overhead establishment or other duties in which to absorb officers not up to the physical standard of active field duty. At present the colonels range in age from 52 to 62, the lieutenant colonels from 49 to 57, the majors from 38 to 56. Seventy percent of the captains are over 40 years of age, and 37 percent of the first lieutenants are over 35 years of age. There are 43 captains over 50 and 18 first lieutenants over 40.

These latter officers are the combat leaders and must be physically equal or better than the men they lead or the full advantage of the physical quality of the troops cannot be obtained. Our enlisted men are young and vigorous and their officers must be physically capable of direct leadership. Troops can be no more active than their leaders. For this reason the over-age condition of these grades strikes at the very heart of the efficiency of the corps, namely, its fighting effectiveness. Therefore I refer to it in such strong terms.

My opinion is not based on conjecture but on the experience of the Marine Corps in its field operations in recent years, which conclusively proved that many of our officers are too old for active field service. Unless some improvement is made in this condition, the efficiency of the Marine Corps in active operations in the future will be seriously impaired.

In this connection I should like to point out that the Marine Corps is the only one of the three services of our national defense that has not received the benefit of commissioned-personnel legislation.

The present method of promotion in the Marine Corps, with slight variation, is one of seniority. An officer can be promoted to the next higher grade only when a vacancy occurs therein. The rate of promotion depends entirely upon the number of vacancies, caused by such variable factors as retirement, death, resignation, discharge, and authorized increase or decrease in strength or change in distribution. One of the inherent faults of this method of promotion is its dependence upon the variable factors just mentioned, and, further, as a result of experience, the inability to promote the smart, efficient officer over others who lack these qualifications.

The correct system of promotion should stimulate an officer's interest in his profession, arouse his energies, and bring forth his best efforts. Only the entirely fit should be promoted.

That is the statement General Russell made before our subcommittee.

Upon referring to the chart which appears upon page 1344 of the hearings, which I want to insert in my remarks, we will find that the average age of our colonels is 55; of our lieutenant colonels, 52; of our majors, 45; of our captains, 42; of our first lieutenants, 34; and of our second lieutenants, 27; and, mind you, this is an average age.

The chart referred to is as follows:

The details as to ages are shown in the following table:

Ages of officers, 1933 and 1943

Age	Colonel		Lieutenant colonel		Major		Captain		First lieutenant		Second lieutenant, 1933
	1933	1943	1933	1943	1933	1943	1933	1943	1933	1943	
63	0	11			0	0	12	0			
62	11	13			0	11	11	0			
61	0	17	0	12	0	0	0	0			
60	0	18	0	12	0	0	11	0			
59	11	18	0	12	0	12	14	0			
58	15	12	0	16	0	13	0	0			
57	13	0	11	16	0	13	12	0			
56	6	4	12	13	11	15	13	0			
55	9	0	13	15	0	16	14	11			

¹ Over-age.

Ages of officers, 1933 and 1943—Continued

Age	Colonel		Lieutenant colonel		Major		Captain		First lieutenant		Second lieutenant, 1933
	1933	1943	1933	1943	1933	1943	1933	1943	1933	1943	
54	3	0	15	15	0	12	11	13			
53	3	0	17	13	13	14	14	19			
52	3	0	18	17	11	13	17	15			
51			11	13	15	13	18	15			
50			16	0	17	17	16	134	11	0	
49			1	0	19	12	17	124	11	0	
48					11	18	11	132			
47					13	10	14	137			
46					17	15	11	130	11	0	
45					17	0	9	126	11	0	
44					16	0	15	126	14	0	
43					19	0	12	124	11	11	
42					14	0	12	120	12	15	
41					6	0	10	120	15	13	
40					7	0	13	119	12	31	
39					3	0	14	14	17	30	
38					5	0	12	9	16	33	
37							12	1	16	30	
36							16	0	18	30	
35									28	40	
34									35	26	
33									31	22	12
32									30	22	11
31									41	12	19
30									22	0	25
29									11	0	28
28									2	0	29
27											31
26											33
25											21
24											13
23											11
22											1
Average age	55	59	52	54	45	49	42	46	34	36	27

Rank	Maximum effective age, years	OVER AGE			
		1933		1943	
		Number	Percentage	Number	Percentage
Colonels	56	10	29	29	88
Lieutenant colonels	49	43	98	44	100
Majors	42	89	72	124	100
Captains	35	329	100	329	100
First lieutenants	28	273	99	275	100

¹ Over-age.

The increase of the average ages in the next 10 years shows that the situation is going from bad to worse, notwithstanding the fact that in the meantime many of the older officers appointed during the war will have passed off the active list.

It is the opinion of those best qualified to speak that 7 years per grade is the most reasonable number of years that should be allowed to each grade above second lieutenant. On that basis a first lieutenant should not be over 28, a captain over 35, a major over 42, a lieutenant colonel over 49, a colonel over 56.

I will show you a little later that the officers who commanded the Marine Corps as a part of the Second Division in the A.E.F., were about this age. If we adopt this as a premise, and I believe it is a sound one, this is the condition of the present officers of the corps: 29 percent of the colonels are over age; 98 percent of the lieutenant colonels of the present corps are over age. Seventy-two percent of the majors, 100 percent of the captains, and 99 percent of the first lieutenants, in what we call our finest fighting unit, are over age. Unless we are prepared to remedy this situation, and to remedy it immediately, we should disband the corps rather than delude ourselves by believing that it is either an available or an effective fighting unit.

While we are on the subject, it will be interesting to review briefly the ages of some of the Marine officers who served overseas during the World War with the A.E.F. and who wrote another brilliant chapter in the history of this great corps. Maj. Gen. John A. Lejuene, who commanded the Second Division, was 51; and Brig. Gen. Wendell V. Neville, who commanded the Marine Brigade, Second Division, was 48. The lieutenant colonels in the staff of the Fourth Marine Brigade averaged 40 years. Colonel Feland,

the regimental commander of the Fifth Marines, was 49, while the age of two colonels who served as regimental commanders of the Sixth Marines, was 50 and 46, respectively. The average age of the majors who commanded the Fourth Machine Gun Battalion, Second Division, was 35. The battalion commander Fifth Machine Gun Battalion was a major of 27.

Today the average age, not only of the colonels, but also of the lieutenant colonels of the corps is more than the age of Major General Lejuene at the time he commanded the Second Division. The average age of the majors today is 16 years above the average age of the majors who commanded the Fourth Marine Machine Gun Brigade of the Second Division, American Expeditionary Forces.

At present, with promotion by seniority, it will take over 5 years to pass through the grade of second lieutenant, over 10 years to pass through the grade of first lieutenant, over 18 years to pass through the grade of captain, over 15 years to pass through the grade of major, 7 years to pass through the grade of lieutenant colonel, and 9 years to pass through the grade of colonel. This is more than 25 years beyond the time when a man will be retired from the Marine Corps because of age.

At the rate at which promotions were made last year it would require 55 years to pass through the grade of captain in the Marine Corps and 25 years to pass through the rank of major, making 80 years for these two grades alone. Of course, the result will be that practically all of the higher officers would go out at one time and then the Marine Corps would start again with very young men and go through the same experience they are now passing through.

Promotion by seniority is poor at best. There is no earthly reason to suppose that because one officer happens to be commissioned one day earlier than another, or maybe only a few minutes earlier than another, that he will until retirement be the more capable of the two. That one graduates number 1 in his class in 1934 does not mean that in 1944 or 10 years later he will still be the most capable officer. Too many things can happen. He may or may not be industrious. He may or may not take advantage of the opportunities presented. Promotion by seniority is a system so stupid and so costly in military organizations that those which adhere to it not only will perish, but they deserve to perish.

The Marine Corps has long recognized the danger of the plan and many attempts have been made to secure its change.

I have given you the general background. This bill proposes to correct the present situation by setting up a selection board composed of six officers from the active list, who are to pass on all promotions. It does not add a single dollar of expense nor does it add a single officer to the 1,024 now in the Marine Corps; it merely redistributes the officers somewhat in their respective grades and provides a system of selection for the Marine Corps similar to that which now exists in the Navy. It is proposed that the names of those officers eligible for promotion be put on a list and certified by the Secretary of the Navy to the board for selection. After a careful examination of their record, their physical fitness, their moral fitness, their professional fitness, they may be recommended for promotion by the board. Not only do we propose to do that but we propose also to require that they receive a two-thirds vote of the board before they are advanced.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 5 additional minutes to the gentleman from Virginia.

Mr. DARDEN. We believe that in doing this we will get officer personnel of the highest grade. We propose to promote a second lieutenant after 3 years of service, and we propose, by making a part of this bill some of the sections of the Navy bill which was passed just a few minutes ago, to apply selection from first lieutenant to general. We do not intend, as is provided by the Navy bill, to exempt the high grades. In the Navy admirals are promoted by seniority, but in the Marine Corps we expect to apply the selective sys-

tem to all officers after they reach the grade of first lieutenant. We are going to redistribute the officers in the Marine Corps. I will not take the time to tell you how we are going to redistribute them, but the result will be that the officer personnel will be allocated to the Marine Corps on the identical basis that the officer personnel is allocated to the Navy, because the two arms are integral parts of one service.

Now, Mr. Chairman, this is a desperate situation. We have an opportunity, by this legislation, to lay the foundation for a corps even greater than we have known in the past. I hope that the House will see fit to support this proposal.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. DARDEN. I yield.

Mr. WHITE. Will the gentleman explain what is proposed to be done under the new set-up with the excess number of officers who will be in the upper grades?

Mr. DARDEN. There will not be any.

Mr. KNUTSON. They will be retired.

Mr. DARDEN. No; they will not be retired. Section 16 of the bill deals with the situation. There will not be any excess of officers in the upper grades.

Mr. WHITE. There is bound to be in course of time.

Mr. DARDEN. We are not going to create an excessive number of officers in any grade by this bill.

Mr. WHITE. If a large number of the younger officers are going to be advanced in rank it will mean that before many years there will be an excess of officers in the upper grades.

Mr. VINSON of Georgia. It will bring about a redistribution of the officers. There are not too many officers in the Marine Corps at the present time; the corps is not over-officered, but the officers are badly distributed. Many of them are over age in their present grades.

Mr. DARDEN. Mr. Chairman, I yield back the balance of my time.

Mr. THOMPSON of Texas. Mr. Chairman, being a marine myself I am naturally very favorable to this bill. It has been very ably explained by the gentleman from Virginia and I will not take any further time on the floor.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMPSON of Texas. Mr. Chairman, the bill under consideration is a Marine Corps personnel bill submitted by the Navy Department and, as introduced in the House, has the approval of the administration. It provides for promotion by selection to the grades of lieutenant colonel, colonel, brigadier general, and major general, and promotion by seniority to the grades of captain and major. Second lieutenants would be promoted to first lieutenants after 3 years' commissioned service. This bill applies to the Marine Corps; the distribution, promotion, retirement, and discharge of its officers, a law which, as modified by the Britten bill of March 3, 1931, has been in effect for the line of the Navy for some 18 years, because the Navy law has been found to be practical and efficient, and because the Marine Corps is a branch of the naval service; most of its service is with the Navy, and most of its future officers will come from the Naval Academy.

The present Marine Corps laws provide primarily for promotion by seniority from second lieutenant up to and including the grade of colonel. Each officer, as a vacancy occurs, is promoted after prescribed examinations—moral, professional, and physical—but there is no method of promoting only the able, zealous, and efficient officer. Those less able can and do qualify for promotion under the obsolete and inefficient requirements of the present laws and must be promoted. Only a few are retired because of physical disability or are eliminated because of moral failure. Only one officer has failed professionally in the last 8 years. Colonels are promoted by selection, and only in this grade is there enforced retirement because of failure to be on a promotion or eligible list.

Under the present laws the average rate of promotion is so slow that a junior officer must spend most of his service in the lower grades, and can reach the higher grades only a short time before retirement for age.

During the last 10 years, the average promotion rate to pass through each grade was as follows: Second lieutenant, 5.4 years; first lieutenant, 10.4 years; captain, 18.2 years; major, 15.5 years; lieutenant colonel, 7 years; and colonel, 9 years—a total of more than 25 years beyond the time when an officer must be retired for age. Last year there were so few promotions that, in future at the same rate, it would require 55 years to pass through the grade of captain and 25 years to pass through the grade of major.

This bill, if enacted into law, when its provisions become fully effective and when the selection system is extended for the Navy to junior lieutenant, as is proposed, will correct the present stagnation of promotion and over-age of commissioned officers of the Marine Corps, and will result in average service in each grade of about 7 years, which is what it should be.

Because of stagnation and lack of promotion in the Marine Corps, 29 percent of the colonels, 98 percent of the lieutenant colonels, 72 percent of the majors, and practically 100 percent of the captains and first lieutenants are now over-age for their respective grades. In 10 years without relief, 88 percent of the colonels and 100 percent of all other junior officers now in the corps will be over-age in grade.

During the period from 1899 to 1920, the Marine Corps was increased from time to time sufficiently to provide for promotion of its officer personnel at nearly the desired rate.

During the World War a great many Reserve officers and noncommissioned officers were given temporary commissions as in the Navy; and by the act of June 4, 1920, many of these were permanently commissioned, all of them in the rank of captain, first lieutenant, and second lieutenant. Their present status is a 14 years' increase of age without corresponding increase of rank. Many of them have held the same rank for this entire period.

As a result of the war it has been found that the distribution of officers in the various grades was obsolete. There were too few of high rank either to perform duties commensurate with their responsibility and experience or to provide a proper flow of promotion from the lower to the upper grades.

This condition has not so far been corrected in the Marine Corps, but it is provided for in this bill.

The mission of the Marine Corps in a national emergency requires that a large portion of the Regular Establishment be immediately available for overseas duty with the fleet and that the peace establishment be rapidly expanded to meet the large operating, supply, procurement, and training problems involved. These war-time needs demand that the active list be composed only of officers physically equal to the rigors of a campaign, primarily and essentially troop leaders, thoroughly trained in the duties of their ranks.

The peace mission requires intensive training for a high state of readiness for war and, if necessary, to furnish troops for active field service for the protection of American interests abroad and for minor emergencies at home.

The proposed legislation will permit the Marine Corps to develop potential leaders capable of carrying on its assigned mission in peace and war. It is essential that for the arduous service required, young, able-bodied, and efficient officers be made available.

The first 15 sections of this bill provide a complete system which will place the Marine Corps under Navy rather than Army personnel laws, which is sound and appropriate. The cost involved would amount to an annual increase of \$131,000. In ordinary times this expense would be eminently justified. Unfortunately, present conditions seem to preclude the passage of this bill should it require additional cost to the Government. Therefore section 16, a saving clause, has been included to prevent any increased cost by limiting involuntary retirements to the grade of colonel, and by

restricting increased pay by reason of promotion. However, the serious state of stagnation will be considerably relieved; the more efficient and deserving officers will be promoted; and many officers will assume new ranks and duties more in keeping with their age, experience, and length of service.

To sum up briefly, this bill applies the Navy system to the Marine Corps and provides:

(a) For no increase of cost to the Government and for no additional officers.

(b) For promotion by selection to the grades of lieutenant colonel, colonel, brigadier general, and major general.

(c) For promotion to captain and major by seniority.

(d) For extension of the selection system for the lower grades should such extension be authorized for the Navy.

(e) For promotion of second lieutenants after 3 years' commissioned service.

(f) For readjustment of grades to conform to the needs of the Marine Corps.

(g) For retirement of nonselected colonels after 35 years' service instead of at 56 years of age.

This year legislation has been passed which provides for building our Navy to treaty strength. I call particular attention to this, because satisfaction in having provided for such a construction program may dim the realization that material preparedness is valueless without personnel preparedness—the provision for adequate, well-trained personnel, composed of vigorous, intelligent young men, properly officered. Every organization always reflects the character of its officers. The high efficiency and morale of the Marine Corps cannot survive if the quality of its officer personnel is impaired by over-age, by retarded promotion, and by lack of reward. These restrictions now exist because of the application of obsolete and inefficient laws. It is an urgent duty that we take remedial action as is now proposed in this bill. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, I yield the gentleman from Kentucky [Mr. BROWN] such time as he may desire.

Mr. BROWN of Kentucky. Mr. Chairman, like the gentleman from Texas, I desire to commend our colleague from Virginia [Mr. DARDEN] for the excellent way in which he has presented this splendid bill. The gentleman from Texas is a former marine and knows their problems. During the World War I happen to have had a brother who was in the Marine Corps stationed down here at Quantico, Va., and second-hand I have heard a great deal about their problems also. If you take the name from the Marine Corps and apply the situation to any other name, I do not think you can ever successfully defend the seniority plan for any organization, and you can include Congress in that if you want to. Men are especially adapted to the particular grade that they fill. It is not necessarily because of their age. There are other contributing agencies and elements that make them desirable for the particular grade that they occupy. I think it is wise that we follow now with the Marine Corps, and possibly some of these days with the Army, the precedent that the Navy set some 18 years ago when they, partially at least, set aside their seniority rule and put their officers on the basis of selection.

There is no use arguing the glories of the Marine Corps here on the floor of the House. Perhaps we may say that the American marine is the finest fighting human machine that the modern world knows. This bill here will simply perfect that organization until it will continue in the future the glorious past it has thus far rendered to this Nation. [Applause.]

Mr. BRITTEN. Mr. Chairman, I yield 7 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, I feel like an interloper, coming into this discussion. I have never been a member of the Naval Affairs Committee, either in this body or in the other. I am so intensely interested in military legislation, having had experience with it on the Military Committee in another body, that I cannot refrain from making a few suggestions upon an occasion of this kind.

The Congress, generally speaking, has taken a quite different attitude toward the Navy and the Marine Corps than it has taken over a long period of years toward the Army. Students of military history and of the debates in the Congress with respect to military subjects will generally find that the average citizen in the United States and the average Member of Congress is perfectly ready and willing to admit that he could not command a battleship, but there are thousands and thousands of civilians who have been confident, as a general rule, at least up until the World War, that they could command a regiment of infantry. It has been the tradition of the American people that the command of soldiers was a comparatively easy thing, and that was the cause of getting us into many wars, causing the loss of thousands and thousands of lives and the expenditure of billions out of the Treasury.

It was not until 1920, when the National Defense Act was revised, that any important steps were taken to give the Army a chance to govern the Army in its interior organization and to bring it up-to-date. You would be surprised—and I am saying this as raising a contrast between the way Congress has treated the Navy, wisely so, I believe, as compared with the way it has treated the Army—to know that prior to the World War, indeed upon the date on which we went into the World War, the laws of the United States prescribed the exact number of men that should constitute a company of infantry. There should be 1 first sergeant, 9 line sergeants, 10 or 12 corporals, so many privates (first class), and so many privates, and the Army was not permitted in its interior organization to change its own tactical organization in the slightest degree without an act of Congress.

I have sat with a committee in the other House and listened to a debate between Members of that body lasting 3 hours as to whether a company of Signal Corps troops should be increased by the addition of one technical sergeant. That all had to be wiped out when we went into the World War. It caused unutterable confusion. The same thing is true with respect to promotions in the Army.

Some of us were exceedingly anxious back in 1920 to install the selection system of promotions in the Army, but an overwhelming majority of our colleagues in the Congress said, "No; we cannot trust the Army to run its own promotion system." The Navy is being trusted, as it should be. You are giving to these selection boards, as you should, the power to promote officers. You do not let the Secretary of the Navy have anything to do with the matter. Not even the President of the United States has anything to do with the promotion of officers in the Navy. You are now going to make it that way in the Marine Corps. Personally I believe in it, and I would welcome the day when the Congress of the United States would confer this trust upon the Army and let the Army select its officers for promotion. There is a hump in the promotion list of the Army worse than now exists in the Marine Corps.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. As a matter of fact, it was stated by the gentleman from Mississippi [Mr. COLLINS], in presenting the military appropriations bill, that there are lieutenants 64 years of age in the Army.

Mr. WADSWORTH. Yes; but of course they are exceptions. The average age of the Army officer grade by grade is going up by leaps and bounds. They are traveling along the same road with respect to age as the Marine Corps is now traveling, and the Army is reaching that same point of over-aged men, especially in the lower grades. I express the hope, in taking advantage of this opportunity, that something may be done for the Army in the same way.

Mr. DARDEN. Will the gentleman yield for a question?

Mr. WADSWORTH. I yield.

Mr. DARDEN. Does not the gentleman believe that that is the fault of the Army rather than of the Congress? Does not the gentleman think that failure to enact such legis-

lation is due to pressure brought on Members of the Congress by the officer personnel of the Army?

Mr. WADSWORTH. That has not been my experience. I think the Army would welcome it.

Mr. DARDEN. I am just asking the question, because I do not know.

Mr. WADSWORTH. The Army has always been governed by law down to the details of its interior organization to an extent that the Navy and Marine Corps never have been, and one reason for the extraordinary effectiveness of the Marine Corps as an expeditionary force is that there has never been any law of Congress governing its interior organization.

Mr. McFARLANE. Will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. McFARLANE. Has that matter ever been studied in the appropriate committee? It seems to me the gentleman's statements are very pertinent, and I believe the matter should be gone into very carefully by the proper committees of Congress so as to permit the consideration of a promotion bill similar to the bills for the Navy and the Marine Corps.

Mr. WADSWORTH. I have not had the honor of being a member of the House Committee on Military Affairs. But in the other body, in the Committee on Military Affairs on which I served, the matter was given great study, and many of us wanted to do this, but we ran up against a stone wall in the Congress itself at that time.

Mr. JAMES. Will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. JAMES. I may say that, of course there is no second lieutenant in the Army 64 years of age, because they have to retire at 64.

Mr. VINSON of Georgia. If the gentleman will yield, if my memory does not serve me falsely, that is my recollection of a statement made by the gentleman from Mississippi [Mr. COLLINS].

Mr. JAMES. Well, that is not true.

[Here the gavel fell.]

Mr. BRITTEN. Mr. Chairman, I shall only take a minute of the time to suggest that most of us on this side are in hearty accord with this legislation. It is something which the Marine Corps should have had 10 years ago. It is something they are very glad to get now. It will improve the corps; it will improve the morale of the officers, even if those who cannot be promoted will ultimately go out. If anything, the Marine Corps will be more efficient in the future than it has been in the past, and we all know how efficient it has been prior to the war, during the war, and since the war.

I think that, man for man, the Marine Corps is the greatest fighting force in the world. We had instances during the World War where a marine would throw his steel helmet off and go dashing over the top and get shot. He did not care for his helmet. What he wanted to do was to fight. This was a typical American attitude; and if there is a military force in this country that typifies American youth, it is the Marine Corps.

Legislation of this character would have been enacted into law 10 years ago but for the influence of two or three officers, particularly one officer who did not want it because he was afraid he would not be selected up. He was afraid he would never be selected up, although he had a lot of influence. Frankly, I disagree with my distinguished colleague from New York [Mr. WADSWORTH], when he says that it was the Congress that stopped selection in the Army. The real cause was the pull of a few individuals in the Army who reached Congress and prevented selection. Selection should prevail in the Army just as it is going to prevail from now on in the Marine Corps, and just as it has prevailed for 18 years in the Navy, because it means efficiency. It stands for reward of merit; and if a man is good, if he is capable, if his superiors like him, if he is an outstanding officer, he ought to be promoted. If he does not have all these qualifications, he should be retired and put off the pay roll, so he can make room for some other youngster who comes up from below, and who is efficient and will deliver when the time comes for him to do so.

I hope it may not be necessary to use any more time on this measure. We on this side are for it, and so far as we are concerned you may begin the reading of the bill now.

Mr. VINSON of Georgia. Mr. Chairman, I ask that the bill may be now read for amendment.

The Clerk read as follows:

SEC. 2. That of the authorized number of commissioned officers above the grade of colonel, one shall be the Major General Commandant, one half shall be brigadier generals, and the remainder shall be major generals.

Mr. GOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Goss: Page 2, line 3, after the word "Commandant", strike out the words "one half" and insert the words "two thirds."

Mr. GOSS. Mr. Chairman, we have just adopted the first section of the bill which puts the Marine Corps, so far as distribution of officers in grade and rank is concerned, on the same basis as the Navy.

Unlike the Navy bill, this bill for the Marine Corps attempts to redistribute the officers in grade and rank, and when the Chairman of the Naval Affairs Committee had the floor a few moments ago he frankly stated to the House he was going to bring in a bill next year redistributing the officers in grade and rank.

If this amendment is adopted, as I hope it will be, I am going to offer an amendment to the next section which will make section 3 conform to present law, and then next year, when we bring in the Navy bill, the Marine Corps bill can be considered in the light of the Navy bill and with the same distribution of the commissioned officers in grades.

If we do not do this, if this is the final bill for the Marine Corps, then section 16 should be stricken. However, I do not believe, in view of the fact that it has not gone to the Budget, it should be stricken.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. GOSS. I yield.

Mr. VINSON of Georgia. I am in accord with the amendment offered by the gentleman, and I should like an approval from the Budget and to see section 16 stricken out. Then that would make a perfect bill. But, unfortunately, it cannot pass the Budget, and section 16 must remain in the bill.

Mr. GOSS. I shall not offer an amendment to do that, although I think, in view of the redistribution of officers in grade and rank, we should do that.

Mr. VINSON of Georgia. I think we should take care of that in the future. I am in accord with the gentleman's two amendments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut.

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. That the heads of staff departments shall be general officers while so serving, in addition to the number of general officers otherwise herein provided, one with the rank, pay, and allowances of a major general, and the remainder with the rank, pay, and allowances of a brigadier general. They shall be carried in the grades or ranks from which appointed.

Mr. GOSS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 4, strike out section 3 and insert in lieu thereof the following: "That the head of staff departments shall be general officers while so serving in addition to the number of general officers otherwise herein provided with the rank, pay, and allowances of brigadier general. They shall be carried in the grade or rank from which appointed."

Mr. GOSS. I will say that this is to follow the same idea as section 3, and leave the matter of distribution the same as it is now.

Mr. VINSON of Georgia. We have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut.

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. That promotion to major general of the line shall be by seniority from brigadier generals of the line.

With the following committee amendment:

Page 2, line 13, strike out the words "by seniority."

The amendment was agreed to.

The Clerk read as follows:

Sec. 6. That commissioned service of officers for the purpose of this act shall consist of all commissioned service on the active list of the Marine Corps, whether under a temporary or permanent appointment, and all commissioned service on active duty in the Marine Corps Reserve.

Mr. DARDEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 23, after the word "reserve", insert "and the National Naval Volunteers."

Mr. BRITTEN. I would like to ask the gentleman how many officers would be affected by that?

Mr. DARDEN. I know of one, but I think there may be others. It is a fair thing and will do no injustice to any officer in the Marine Corps.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

Mr. AYRES of Kansas. Mr. Chairman, I move to strike out the last word to make inquiry as to the purpose of section 4. I was on my feet endeavoring to get recognition when we got through with section 4. What is the purpose of striking out the word "seniority" and making it read—

That promotion to major general of the line shall be from brigadier generals of the line.

Mr. DARDEN. The purpose of that is to advance the brigadier generals by selection rather than by seniority. The bill as it came up provided that they should be advanced by seniority. We felt they should be advanced just as the colonels and lieutenant colonels and other officers, that they should go to the office of major general on the basis of merit, and not on the basis of seniority. We are applying the principle throughout the bill to all the officers of the Marine Corps.

Mr. BRITTEN. The reason the bill came in this form was because the brigadier generals and the major generals took rank with the lower and upper half, so called, and the contention was that all rear admirals were promoted by selection first, and then went up automatically from the lower half to the upper half.

Mr. AYRES of Kansas. As a matter of fact, they do now automatically.

Mr. DARDEN. Yes; and we insisted on brigadier generals being promoted by selection.

The Clerk read as follows:

Sec. 7. That selection boards shall consist of officers on the active list of the Marine Corps, the composition and procedure of the boards to be determined by the Secretary of the Navy.

With the following committee amendment:

Page 2, line 24, after the word "of", insert "not less than six", and, on page 3, line 2, after the word "Navy", strike out the period, insert a colon and the following: "Provided, That no officer shall be recommended for advancement unless he shall have received the recommendation of not less than two thirds of the members of the board."

The committee amendment was agreed to.

The Clerk read as follows:

Sec. 9. That section 1493, Revised Statutes (U.S.C., title 34, sec. 665), is so far amended in its application to the Marine Corps as to require that no officer shall be promoted to a higher grade, excepting in the case provided in section 1494, Revised Statutes (U.S.C., title 34, sec. 568), until he has been examined by a board of naval medical officers and pronounced physically fit to perform all his duties at sea and in the field.

With the following committee amendment:

Page 3, line 16, strike out "566" and insert "666."

The committee amendment was agreed to.

The Clerk read as follows:

Sec. 10. That the requirement of sea service in grade shall not apply to promotion of officers of the Marine Corps, and officers in the upper four sevenths of the grades of colonel, lieutenant colonel, and major, respectively, as established by the first section of this act, shall be eligible for consideration by selection boards and for promotion without regard to length of service in grade.

With the following committee amendments:

Page 3, line 20, strike out "Corps" and insert "Corps";

Page 3, line 22, strike out "of colonel, lieutenant colonel, and major, respectively," and insert "below brigadier general, subject to selection."

Page 4, line 1, after the word "grade", strike out the period, insert a colon and the following: "Provided, That no officer of the Marine Corps shall be ineligible for consideration for promotion by reason of completion of length of commissioned service until he shall have once been considered by a selection board."

The committee amendments were agreed to.

The Clerk read as follows:

Sec. 16. That officers of the Marine Corps in the ranks or grades of lieutenant colonel and major shall not be retired because of not being on a promotion list or on an eligible list for appointment as head of a staff department, and shall be eligible for consideration for promotion by promotion boards without regard to completion of 23 and 21 years' service, respectively. Upon promotion or advancement after the approval of this act, with the exception of the Major General Commandant, heads of staff departments with the rank of brigadier general, an officer of the Marine Corps who may be appointed as Judge Advocate General of the Navy, and commissioned warrant officers, which officers shall receive the pay and allowances provided by law for their rank, commissioned officers of the Marine Corps shall receive the pay and allowances of the grade or rank from which promoted or advanced: *Provided*, That officers in the grades or ranks stated shall receive the pay and allowances of the grades or ranks in which serving upon attaining the number on the lineal lists of such grades or ranks, as follows: Major general, 2 (excluding the Major General Commandant); brigadier general, 4; colonel, 35 (common list); lieutenant colonel, 38 (common list); major, 80; captain, 254; first lieutenant, 220.

With the following committee amendments:

Page 5, line 23, strike out the word "promotion" and insert the word "selection."

Page 5, line 25, after the word "years" insert the word "commissioned."

Page 6, line 17, strike out "54" and insert "56."

Page 6, line 18, strike out "20" and insert "24."

The committee amendments were agreed to.

Mr. THOMPSON of Texas. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. THOMPSON of Texas: Page 6, line 18, after the figures "24", insert:

"Sec. 17. Section 4 of the act approved February 28, 1925 (43 Stat.L. 1081; U.S.C., title 34, sec. 753), as amended, is hereby amended to the extent that hereafter the minimum age limit for enlistment in the Naval Reserve or Marine Corps Reserve shall be the same as that for enlistment in the Regular Navy."

Mr. THOMPSON of Texas. Mr. Chairman, the purpose of this is to make the enlistment age in the Marine Corps and Naval Reserve the same as in the regular service. As it is there is a year of inequality.

The amendment provides for an amendment to the Naval Reserve Act to the extent that hereafter the minimum-age limit for enlistment in the Naval Reserve or Marine Corps Reserve shall be the same as that for enlistment in the regular Navy and not the minimum age of 18 required for the reserve at present.

The enlistment age for the Navy and Marine Corps is 17 years and if this change is made it will enable the Navy and Marine Corps to enlist young men in the reserve with the same age requirements as the regular service (with their parents consent, of course).

The present law requiring as it does an 18-year minimum age limit and at the same time providing for the appointment to the Naval Academy each year of 25 members of the Naval Reserve and Marine Corps Reserve where the maximum age for entrance is 20 years rather defeats its purpose, that of an appointment to the Naval Academy as a reward for faithful and interested service in the Reserve, as there is no time to judge the qualifications of the applicant.

The minimum age limit for the National Guard is 18 years without parents consent.

Mr. DARDEN. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GOSS. Mr. Chairman, I move to strike out the last word. Take the last paragraph on page 6. In view of the other two amendments we adopted on this redistribution in

grades and ranks, should not this be changed to conform with that? I think the status is the 1-2-6, and the bill attempted to make it 1-4-4. We have held the status 1-2-6. Therefore, the brigadier should be stepped up to 6.

Mr. DARDEN. Six brigadier generals of the line.

Mr. GOSS. That is right.

Mr. DARDEN. And you have dropped one major general officer in your operation?

Mr. GOSS. Yes. So there ought to be 6 brigadiers, and that would leave 1 commandant, 2 major generals, and 6 brigadiers, as it now exists.

Mr. DARDEN. Three brigadiers of the staff. That is right.

Mr. GOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Goss: In line 15, after the word "general", strike out the figure "4" and insert in lieu thereof the figure "6."

Mr. GOSS. That will then conform to the amendments earlier adopted.

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOYLAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H.R. 6803, and pursuant to House Resolution 348, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

APPROPRIATION FOR SPECIAL ACTS RELATING TO COTTON, CATTLE, AND DAIRY PRODUCTS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that House Joint Resolution 345, to provide funds to enable the Secretary of Agriculture to carry out the purposes of the acts approved April 21, 1934, and April 7, 1934, relating, respectively, to cotton, to cattle, and dairy products, and for other purposes, be in order immediately after the reading of the Journal on Thursday next, and that it occupy a privileged status as any other general appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. BUCHANAN]?

Mr. SNELL. Reserving the right to object, is that the bill about which the gentleman spoke to me?

Mr. BUCHANAN. That is the bill about which I spoke to the gentleman.

Mr. BLANCHARD. How long does the gentleman expect that will occupy?

Mr. BUCHANAN. It should take only a short time, because it is to carry out two acts of this Congress already passed and to make a little appropriation for printing your speeches.

Mr. BLACK. Reserving the right to object, on what day is that asked for consideration?

Mr. BUCHANAN. On Thursday.

Mr. BLACK. Mr. Speaker, Thursday is District day. We had a great deal of trouble with the old-age-pension bill on last District day. We had a filibuster on that bill. If the gentleman will say this matter will only occupy a few minutes, I will not object, but otherwise I am compelled to object.

Mr. BUCHANAN. It will only take a few minutes, I am sure.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. BUCHANAN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that on Thursday next, immediately after disposition of matters on the Speaker's desk, I be permitted to address the House for 10 minutes on proposed Indian legislation.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

RESTORE THE WORLD MARKET TO THE FARMER AND THE BUSINESS MAN

Mr. ROMJUE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROMJUE. Mr. Speaker and Members of the House, there has perhaps not been a time during the last 60 years at least in which sound, calm, and deliberate thought and judgment was needed more than at the present time and during the present economic crisis. The remedy to be applied by any administration at any particular time must be suited to the situation and condition which confronts the country. A wise physician in caring for a patient will, before he drenches his patient with a variety of medicines, first carefully and thoughtfully diagnose the case and determine as best he can just what the trouble or disease is; and once he has correctly determined just what the trouble or disease is, he can then the better determine what the remedy should be and how it should be applied. The progress or status of a disease may require more or less heroic treatment, according to its advanced stage. When Franklin D. Roosevelt became President of the United States he found before him a sick Nation, a country fraught with ills, one that needed not so much at first a pulmotor as it needed a quieting powder. I shall not at this time discuss in detail what all there was that was dumped into the lap of the new President—suffice it to say there was a plenty that came over from Mr. Hoover's administration that needed treatment and attention.

First, the financial structure had largely got away from the people and the Government and was running unbridled under the riding of the few.

During the last Democratic administration of public affairs in the United States the prosperity and the purchasing power of the farmer in America reached its highest stage. During the 8 years of Democratic administration at that time the farmers in America had made more money than they had ever made in any period of three or four times that length of time before. In fact, many had made and prospered more during those 8 years than they had made or prospered during their entire lives. A considerable portion of the farmer's markets and a reasonable prosperity for him hung over and continued for a time after the then incoming Republican administration. After a time, however, the general business conditions of our country became considerably involved; the legislative policies and governmental administrative service reached its highest point of incompetency and inefficiency under the administration of President Hoover. I have no word of criticism to direct against Mr. Hoover. I assume that he may have done that which he believed he ought to do, but I am certain that grievous errors were committed under, by, and during his administration which resulted in bringing the greatest chaos, confusion, and distress to the American people that has ever occurred in the entire history of the Nation.

In my judgment, it was a very serious mistake on the part of Mr. Hoover and his administration when he undertook to relieve and postpone the payment of debts due this country by foreign governments. I recall very well in June 1931, when President Hoover requested the views of the Members of the House and Senate as to whether or not they would

endorse and approve the announcement which he made at that time favoring the postponement of the payment of the foreign debts due this country by the foreign governments who were indebted to the United States. In response to the inquiry which came to me from the President at that time, which inquiry was the same as went to other Members of Congress, I stated, "I deem it the first duty of our Government to consider and care for the interests and welfare of the American people. I am not in favor of canceling any debts due America by foreign governments and am opposed to any plan which will eventually lead to that end", and that "American farmers are losing their farms and homes every day by reason of drainage bonds and farm loans against their farms, and unless the payment of their loans and interest thereon can be postponed for a year in order to give them a chance to save their homes, I will be obliged to oppose the postponement to any foreign country the payment of their obligations to the United States." I further stated at that time in my reply that a large number of people in both city and country were unemployed and had difficulty in meeting the taxes and loans against them, and until some relief or assistance was given them I could not favor the bestowing of charity on Europe. I further stated at that time that "The present tariff wall created by recent legislation has been destructive of world trade and I feel it is the duty of the President and Congress to reduce the extremely high tariff to a point that will restore prosperous commercial interchange of the products of American farmers and industry and reestablish a policy that will stop American capital from leaving our own country for foreign fields, thereby throwing American laboring men out of employment, and that restoration of prosperity to America is of prime importance and a nonpartisan matter."

What was happening along about that time near the beginning and throughout Mr. Hoover's administration? The highest tariff law ever created by this country was enacted under President Hoover's direction with a Republican Congress. It was so grossly excessive and unreasonable and unfair that it turned every leading commercial nation of the world to adopt the same policy against us. They felt that since we had lifted the barriers against them until they could no longer trade with us that they had a right to lift their barriers against us, which they proceeded to do, and practically every nation of the world excluded American farm products from the privilege and opportunity to enter the world markets wherever such markets might be found. They believed that they had the right to do to us what we had done to them and proceeded on that theory, and as a result, taking their own conduct with our own, the world's commerce was destroyed and the world's trade was almost entirely broken down.

This tariff wall was raised by Mr. Hoover's administration to this excessive high point under the pretense of protecting the laboring people, and yet the results show that never in the history of the United States Government have more people been unemployed and thrown out of work and more people hungry and unable to secure employment than has been the case while operating under that false and absurd assumption. And under that high tariff act the selfish interests of this country, who seemed to hold the reins, and who happened to be directing the course of President Hoover and his party at that time, sent a bunch of their capital and finances into the foreign fields, where they manufactured machinery and other products of industry on cheap labor, thereby through these selfish interests using the American capital they had made in America to go into foreign fields and compete, not only with our own Government and commerce, but they brought themselves into opposition with the American working man. These same selfish interests that were utilizing the Government under Mr. Hoover's administration, through the gigantic banking interests which they controlled, were selling to the American public foreign securities, bonds, and obligations, which in many instances later proved to be, if not wholly worthless, very greatly and partly so. Thousands of dollars of American citizens' hard-

earned money were lost; and in the tragedy many of the smaller banks of our country became involved. The loss to the American public, the American farmer, and the American working man, by this gigantic process and program, has been tremendous and tragic in the loss of homes, and the inability of many an honest man to meet further his just and honest obligations and it makes the very soul of America sick, and many an humble citizen has been, by this process, pauperized.

This picture was not thoroughly seen and understood by all; yet those who did not see this picture as it occurred knew that something tragic and awful had happened to the American farmer and finally to American business in general.

It was this situation that was upon our country when the people of these United States arose and intrusted the leadership of the country to Franklin D. Roosevelt. Into his lap fell this dark and disastrous condition. He found the trade of America destroyed, he found the financial structure tottering, and he found the owners of homes too often in despair; and upon the assembling of Congress by Mr. Roosevelt, in special session under his leadership, he immediately launched a program, the first vital stroke of which was to stop the future breaking of banks and the future pauperizing of thousands of depositors of the banks by establishing, with the approval of Congress, what was known as the "bank moratorium", which closed the banks throughout the country for the purpose of avoiding further crashes and loss, and with the view of reestablishing a more sound financial structure. Almost universally throughout the United States the people then and today know that that move was wise and timely. It perhaps did not satisfy every individual banker in the country. No policy nor program ever satisfied everyone but every thoughtful citizen knows today and realized rather promptly at the time that the move then made by President Roosevelt and the Congress, cooperating with him, saved what there then remained of the banking structure of this country. Had Mr. Roosevelt been President as much even as 2 or 3 years prior to the time he took office, many a depositor of this country would still have had his money that was lost in the crashing days which preceded his taking office as President of the United States.

On December 7, 1932, in addressing a letter to one who afterward became a member of President Roosevelt's Cabinet, in commenting on the recent results of the last Presidential campaign, I said:

The newly elected President and the incoming Democratic House and Senate have placed tremendous responsibilities upon us. We must relieve the American people from the distress and deplorable condition into which they have unnecessarily been drawn. We must reestablish the trade of our country by reviving our commerce with other leading countries of the world. This can be done, either by conference of our President and his Cabinet directly with the heads of other nations, with a view to paring down a portion of the excessive tariff rates which have been lifted by this country against other nations and which, by them in retaliation, have been lifted against us, or the President might invite the other leading nations of the world to send their representatives to meet in conference with a representative of our own country, for the purpose of mutually agreeing on the reduction of these same tariffs, to be followed up by recommendation for legislative enactment. This country cannot regain the prosperity to which the American people are entitled without the reestablishment of better trade relations. When the commerce of this country begins to move again in exchange for the commerce of other nations, transportation conditions will be improved, employment of men at terminals and in transportation will be increased; and, as men begin to make wages and have employment, consumption of the products of the farm and factories will begin to increase. And as men become employed, naturally they will be granted credit more freely than is the case at the present time—in any event, prosperity will not return until we reestablish the opportunity for marketing and exchanging the products of our fields and factories.

The lower House of Congress has recently passed what is known as the "tariff bill" of this administration, and the matter is now pending in the Senate and will be passed and signed by the President before this Congress adjourns. I regard this piece of legislation as one of the most con-

structive and most beneficial pieces of legislation, if not the very most important, that this Congress or any other has enacted into law. This will give to the President of the United States the power to negotiate in the interests of the farm products and factories, and will be the means of establishing more friendly trade relations with such countries of the world as we need to deal with. The benefit this legislation will be to the American people will begin to unfold within the next year. It is common sense written into law. It is absolutely necessary for the return of prosperity to the American farmer that he may have a market into which he may go with his products.

I recall very well a statement made by President Roosevelt sometime ago in which he said if he could be right 75 percent of the time he would be well satisfied. The statement in this regard he refers to as having been made previously by Theodore Roosevelt. Without regard to whether anyone should receive credit for such a statement, the fact remains that the expression is a very wise one.

Men of experience in life's affairs well recognize a peculiar trait of human nature so often encountered with, and that is that men who claim perfection and who are always ready to assert that they never make any error usually make more mistakes than anyone else, and usually also contribute but little to the welfare of the human race.

This country is now on its way to recovery and, as I said before, it had drifted into a serious condition under the leadership of Mr. Hoover and those who stood with him, which should have been avoided; but the American people, finding themselves in the depths and agony of distress, turned to the leadership of Roosevelt, and under that leadership, with a Congress that is trying as best they can to be of assistance to him in the recovery of this country from distress, will continue to advance with such a program as will insure to the American farmer and American workingman much improved business conditions and a restoration of the world markets to the American farmer and employment to the willing workingman.

BRONZE TABLET OVER GRAVE OF BRIG. GEN. ROBERT H. DUNLAP

Mr. BRITTEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 276) to authorize the placing of a bronze tablet bearing a replica of the Congressional Medal of Honor upon the grave of the late Brig. Gen. Robert H. Dunlap, United States Marine Corps, in the Arlington National Cemetery, Va., with a Senate amendment, and agree in the Senate amendment.

The Clerk read the Senate amendment, as follows:

Line 10, after "woman", insert "The Government shall be at no expense in connection with the preparation of or the placing of this tablet."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

On motion by Mr. BRITTEN, a motion to reconsider the vote by which the Senate amendment was agreed to was laid on the table.

SILVER

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio speech made by my colleague the gentleman from Texas, Mr. MARTIN DIES.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

SILVER

Mr. WHITE. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following radio address by Representative MARTIN DIES, of Texas, on Silver, delivered over the National Broadcasting Co.'s hook-up on May 5:

Ladies and gentlemen of the radio audience, I desire to discuss for a few minutes my bill (H.R. 7581), which passed the House on March 19 by a vote of 258 to 112. This bill provides for the exchange of American agricultural products for silver. Under its terms, the Export Import Bank of Washington, all agricultural marketing associations, and every private exporter are empowered to sell surplus products abroad and accept silver in pay-

ment therefor at a premium which shall be not less than 10 percent nor more than 25 percent above the world market price of silver. By utilizing the services of all established and recognized export agencies, whether governmental, cooperative, or purely private, we feel assured that a maximum of surplus products will be disposed of under the operation of the bill. The bill has been amended to include industrial products as well as agricultural surplus products. Against the silver received in payment for surplus products, legal tender silver certificates will be issued, based upon the value at which the silver was accepted, and with these silver certificates the producers will be paid for their products. The general purposes of the bill are, therefore, to dispose of surplus products abroad in a normal and constructive way, retain our dominant position in the export markets of the world, put a safe quantity of new and honest money into circulation and thereby increase the purchasing power of the millions of producers of America who form the backbone of our economic life.

But why accept silver at a premium in payment for our surplus products? The most serious problem that confronts us today is our inability to dispose of surplus products. Everyone is familiar with the unprecedented decline in export trade since 1929. The reasons for this are apparent. Nations who would like to purchase our surplus products are unable to do so because, in the first place, they have no gold to pay for it. The gold of the world is cornered by three nations—the United States, France, and England—and under the monetary policies now in force in those three countries there is little or no probability that in the near future there will be any redistribution of gold.

There is only one other way by which foreign nations can purchase surplus products, and that is by the exchange of their surplus products for ours. This they cannot do because, on account of prohibitive tariff laws, we will not permit the products of other nations to enter the United States. The example furnished by the Hawley-Smoot tariff bill was rapidly followed by other countries, until today the exchange of commodities, products, and goods between nations is practically prohibited. The lowering of our tariff barriers without reciprocal action on the part of other nations would only result in a tremendous increase in our imports with no appreciable addition to our exports. The administration's policy of reciprocal-tariff treaties, concessions, and agreements is necessarily difficult and slow and dependent upon so many complex factors, such as international cooperation, that it is impossible to predict how long it will take to carry it out.

In the meantime, during the slow and difficult process of gold redistribution and mutual tariff treaties and concessions, surplus products are accumulating and depressing the domestic price level.

We must reach one of two conclusions in the United States. We can adopt a purely nationalistic policy in reference to agriculture and industry. This means that we must by legislation restrict and limit production to domestic needs and consumption. If we do this, we drive from agricultural pursuits millions of people now dependent upon farming for a livelihood, and they will be compelled to find other means of subsistence. Is the industrialism of the Nation prepared to absorb this addition to its population? Considering the millions of unemployed, the answer must be, "No." The regimentation by law of agriculture and industry in an effort to adjust production to consumption will be contrary to the spirit and genius of our free institutions, and the resultant benefits, if any, will not compensate us for the sacrifice of fundamental American principles.

But what are the objections to the acceptance of silver in payment for our surplus products? The orthodox gold-standard theorist says that the acceptance of silver at a maximum premium of 25 percent would constitute the dumping of our surplus products on the markets of the world. What about our gold-revaluation policy? Have we not been engaged during the past few months in purchasing gold at a premium in excess of 40 percent above the world market price of gold? In effect, we are accepting gold in payment for surplus products at a 40-percent premium above the world market price. Could it not be charged with equal force and logic that this policy meant that we were depreciating the price of surplus products to the extent of 40 percent, and, therefore, to this extent we were dumping our products on the markets of the world? Now, I am not criticizing the gold-revaluation policy. As a matter of fact, I introduced one of the first gold-revaluation bills in Congress and had a hearing on this bill nearly a year before the administration's gold revaluation bill was passed by Congress. But the failure of the Treasury to issue new currency based upon this increased value of our gold monetary stock deprived us of the full benefits of this act insofar as our internal price level is concerned. The inability to secure gold at any price on account of its scarcity and maldistribution limited the extent to which our export trade was stimulated. Those who say that this bill will constitute dumping to the extent of the premium which we offer for the silver in exchange of surplus products, forget that for 10 years under very conservative administrations we dumped our surplus products on the markets of the world to the extent of 100 percent. In other words, we loaned money to foreign nations to purchase surplus products, and we will never get this money back.

But the ultraconservative, clinging with stubborn tenacity to the gold fetish, says that if we accept silver at a price from 10 to 25 percent higher than the world market price of silver, the taxpayers will eventually have to make good this difference. Even if we sold \$2,000,000,000 of surplus products in the next 12 months and accepted silver at the maximum premium of 25 percent, the total amount of the premium would only be \$400,000,000. This would be considerably less than the tremendous sums we are now spending on the farm program. But at the same time we would

be taking off the markets of the world a billion ounces of silver. Under the operation of the law of supply and demand, the removal of this much silver from the markets of the world would cause the price of silver to rise in excess of the 25-percent premium we offer. But the reactionary answers that there is too much silver in the world to raise its price by removing a billion ounces. Since Columbus discovered America there have been only 15,500,000,000 ounces of silver produced in the world, according to the report of the Federal Reserve Board and the Director of the Mint. Of this amount we can only locate about 9,400,000,000 ounces, and the most liberal estimate puts the amount of silver available for monetary uses at 11,000,000,000 ounces. But we are told that if we pay a premium for silver in exchange for surplus products, we will increase the demand for silver and cause overproduction. Eighty percent of the silver production of the world is a byproduct in the production of other metals, such as gold, copper, lead, and zinc. The increased price of silver without a corresponding increase in the price of other metals with which it is associated would not justify increased production. Even in 1920, when the price of silver was higher than at any time since 1873, the world produced considerably less silver than in 1930 or 1931, when the price of silver was the lowest ever known in the history of the world.

When the price of silver is abnormally low, the producers of silver, like the producers of other commodities under similar circumstances, are compelled to increase production in the desperate attempt to pay the cost of production. The unprecedented low price of silver in the past few years was not due to overproduction but rather to oversupply coming from such unnatural sources as the action of the British Government in forcing India off the silver standard and in melting up her silver coins into bullion and dumping this bullion upon the markets of the world, and the actions of other governments in debasing silver, using substitutes for silver in circulation, reducing the silver content of the divisionary coinage in countries like Great Britain, etc. Therefore, since the supply and production of silver are definitely limited by nature, the eventual effect of this bill will be to increase the world price of silver to absorb the premium.

It is not predicted that the increase in the world price of silver will be sudden. It will necessarily be gradual, and the extent of the increase will depend upon the amount of surplus products we exchange for silver. But this is an advantage and not a disadvantage. If the price of silver were to increase suddenly as the result of the action of our Government in purchasing large quantities of silver, other export nations would enjoy the same advantages in selling their surplus products to silver-using countries as we. But if the increase comes about gradually as the result of the exchange of our surplus products for foreign silver, we alone will enjoy the advantage of the increased purchasing power of silver-using countries.

There is nothing experimental or revolutionary in the plan suggested by this bill. It does not involve the violation of the Constitution or the abridgment of any political, personal, or economic right. It does not constitute any sacrifice of fundamental American principles. Nor does it mark any departure from the ancient landmarks of the fathers. For 80 years silver was as much the money of this country as gold. It was made the money of this country by the Constitution of the United States, and such eminent authorities as Jefferson, Hamilton, and Webster not only believed that it should be used as money, but believed that it could not be demonetized without violating the Constitution.

The silver certificates issued against the silver received in payment for surplus products will not constitute fiat or printing-press money. These silver certificates will be sounder than the paper money we have in circulation today. Not a dollar of our paper money is redeemable in any metal. But under this bill, every dollar of silver certificates issued will be redeemable in a sufficient quantity of silver to make the certificates worth 100 cents on the dollar. This new money will be put into the hands of millions of producers and, unlike bank credit money which exacts its toll of interest charges, it cannot be withdrawn overnight.

It is not claimed that this bill is a cure-all. It does not satisfy the demands of the extreme inflationist. Much is left to the discretion of the administration, so that it can feel its way in putting the act into operation. However, there are sufficient mandatory provisions in the bill to insure its operation regardless of the views of those who will be chosen to administer it. It does not require any new set-up or governmental agency, and it does not put the Government into business. Private exporters and agricultural marketing associations will largely put the bill into operation by the simple process of accepting silver in payment for surplus products and depositing the silver in the Treasury of the United States and receiving certificates in lieu thereof. It is merely the recognition of the money of more than one half of the world as payment for the surplus of our soil and labor. It is believed that the bill as passed by the House, with slight modifications, will be acceptable to the administration.

EMERGENCY GOVERNMENT EXPENDITURES WILL BE PAID WITHOUT PARTICULAR PAIN TO ANYONE

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. BEITER. Mr. Speaker and Members of the House, these have been tense and interesting days in Washington.

A hidden political contest of the keenest sort is raging, and the control of the country is at stake.

I am reminded very much of the old Wilson days after the war when his political and economical foes were conspiring and planning and feverishly working for his downfall. You will remember, too, that they succeeded in their fiendish and unholy purposes. The same elements are now vigorously working against the President, and it behooves every tried and true friend of Franklin Roosevelt and every patriot who believes that the carrying out of his policies is essential for our country and for democracy to be constantly on guard against the vicious attacks of these enemies.

There have been mistakes. Hardships have been imposed by some of the things done. Many are prone to forget the benefits and think only of their difficulties. There are elements of discontent in every community.

The unscrupulous standpat partisans who hate Mr. Roosevelt and his ideals of justice for the common man, partisans who care more for their own selfish success than they do for the welfare of the country, partisans who want to go back to the old order of things where big business and selfish interest were in the saddle, these various partisans are attempting to garner into their organization all the elements of discontent.

I hope all these fellows who are throwing bricks at the President will miss their mark. I read about the henpecked husband who complained to the judge that his wife had been throwing things at him ever since they were married. The judge asked, "But why haven't you made a fuss about this before?" "Today's the first time she ever hit me, judge." I hope and pray the President may continue so thoroughly entrenched in the hearts of the people of this Nation that these poison bombs will never touch him.

Not only this, but these unpatriotic partisans are trying to stir up strife and more discontent wherever they think there is a possible chance.

But one thing remains clearly apparent. Franklin Roosevelt is strong with the rank and file of the masses of the people. They believe he is making a valiant fight for them. They know he has tremendous odds to overcome. They have faith in him. They believe he is in sympathy with them and is working almost beyond all human endurance in his efforts to help them. I want to say to all these people, and to the farmers, the small workingman, and hundreds and hundreds of thousands of others: that they have never had a better friend in the White House than they have right now, and that they cannot afford to be asleep while his enemies are trying to destroy him.

Now that the second session of the Seventy-third Congress is drawing to a close, I consider it proper to comment on the recovery program and its costs. Ever since the first session was begun 158 years ago, the operations of government have always started people to discussing—too often with the accent on the "cussing."

Congress seems to be regarded as a natural target for dissatisfaction and discontent; and the second session, unfortunately, has been no exception. I suppose that is due in part to the fact that the Government officer at times has to be a policeman, inspector, tax collector, and regulator. I am afraid that all too frequently it seems to take a peering, poking, meddling sort of character to enforce laws; and so it is the simplest thing in the world to rouse a crowd with a slogan of "Down with the nose, tax-squandering bureaucrats!" Law enforcement means compulsion, and compulsion does not excite affection.

The other day a wild-eyed, fire-breathing radical rushed up the steps of an aristocratic home in one of our big cities and furiously rang the bell. The door was opened by the bland, rigid, imperturbable family butler. Enraged anew at such a sight, the radical bellowed at the top of his voice, "The revolution is here." But the butler was not disconcerted in the least. He answered with the utmost calm: "All revolutions must be delivered at the tradesmen's entrance in the rear." There are a lot of us who agree with that butler when it comes to a breathless, instantaneous acceptance of every half-baked panacea. Do not ask me whether they bake panaceas or not; anyway, most of them sound

as if they or their authors were half-baked or boiled or something.

The American people, you can be sure, are not going to be suddenly stampeded into any social upheavals by the irresponsible tirades of a few misinformed critics. Somebody remarked the other day on that point of misinformation as a basis of criticism that people who are "down on" something usually get that way because they are not "up on" it.

And that is most certainly true of many haphazard criticisms of our governmental functions. If we look fairly at the Federal structure we cannot but be struck by the fact that a good part of its machinery has been created for the sole purpose of being helpful to its citizens.

Nothing shows that so clearly as a classification Hon. HENRY T. RAINEY, Speaker of the House of Representatives, made recently of our total Federal Budget expenditures this year, which amount to about \$2,911,000,000.

It has been charged that this administration is recklessly expending money, that it is piling up an enormous national debt, and the time has perhaps come to analyze the recovery expenditures of the first year of operations under the leadership of Franklin D. Roosevelt. Apparently during 13 months of operations under the new deal the gross amount of our public debt increased \$5,223,000,000, until the 31st day of March 1934 our apparent public debt amounted to \$26,158,000,000. But we had in the Treasury at that time \$2,003,000,000 which ought to be deducted in arriving at the amount of our gross public debt. Deducting this amount, we reach the inevitable conclusion that in the first 13 months of the Roosevelt administration our public debt increased only \$2,436,000,000.

We have been underwriting investments of banks, insurance companies, railroads, building-and-loan associations, farmers, intermediate-credit banks, joint-stock land banks, and other companies and banks, and we have taken from them their securities. We have been underwriting municipalities, and we have taken from them their securities. If the recovery program succeeds—and it must succeed—practically all of these amounts so invested will come back into the Treasury of the United States.

THE NATIONAL DEBT

Using a new method of approaching the national debt, in view of the vigorous criticisms to which the present administration has been subjected, a different result is obtained. If we have been underwriting the propositions I have mentioned, and if we have been taking their securities, and if the success of the new deal means the payment of these obligations, and it does mean the payment of these obligations, then the correct way of approaching the national debt is to deduct from our entire national indebtedness the cash we have on hand, less the securities we are underwriting, and when we do that we reach the conclusion that at the present time our public debt, less cash and securities, amounts to only \$8,264,000,000. Applying the same method to our public debt as it existed on February 28, 1933, we reach the conclusion that our public debt at that time amounted to \$6,225,000,000. Therefore, during the 13 months of the Roosevelt administration the public debt increased \$2,039,000,000.

It is perfectly proper, I think, in estimating our financial condition so far as the national debt is concerned, to figure in the \$2,810,000,000, or increment on gold we have obtained by revaluing the gold dollar. When this item is included we reach the inevitable and startling conclusion that today our public debt, less cash and securities, is \$771,000,000 less than it was at the end of the Hoover administration.

Now, is a good part of this nearly \$3,000,000,000 squandered, as some isolated critics assume, by brazen, self-seeking bureaucrats, or wasted on silly, futile projects of no public interest or value? That is the charge; now what are the facts?

On a recent trip to Buffalo, N.Y., I encountered several keen business men who frankly told me of their fears for the program of national recovery.

"The Government is spending billions of dollars borrowed money", said one; "spending so much that the mind can't

grasp the vastness of the sum. I'd like to know how this terrific debt will be paid."

Another, honestly pessimistic, said "the money borrowed has to be repaid unless debts are repudiated—we'll come out of these recovery experiments with the greatest national debt the Nation ever owed. There is no way to pay it off, and we're headed for bankruptcy." Others said we were pouring money down a rat hole; and some firmly believed that the billions now being spent were actually retarding recovery by loading future years with unbearable taxes.

In answer to their many inquiries I said that one must know why the Government is going into debt to understand how the bill will be paid and that the country as a whole will pay its debt out of the profits it will make by spending now the money it is borrowing.

In ordinary times the Nation could not make a profit by having its Government spend great sums. It is only because of the breakdown in our economic machine that such action is not only possible but positively necessary.

Few people realize how completely our economic machine was paralyzed.

A few figures will make it clear. Let us assume that our Nation is one vast business whose chief purpose is to have an income to feed, clothe, and promote the welfare of all our people.

The national income of all our people in 1928, and again in 1929, was more than \$80,000,000,000. That income represented what we then called prosperity: Work for all, a higher standard of living for practically everyone.

But in 1932, our national income was only 40 billions, a 50 percent reduction. Any business whose earnings drop 50 percent has been dealt a terrific blow. Our national machinery was operating on but two cylinders.

More than 11,000,000 men were out of work. My friends were lamenting the costs of recovery, but have they ever considered the costs of depression? The potential labor wasted in the last 3½ years, if employed steadily, could have torn up our railroad system and rebuilt it three times. The wasted man power could have built a \$5,000 house for every second family in the entire United States. Here was billions of dollars of man power absolutely wasted because our economic machine had cracked.

When a business man has a delivery truck which runs on only two cylinders, the first thing he does—if the truck has future usefulness—is to have it repaired. He knows that the future saving to be gained by putting it in first-class running condition will more than offset the repair cost.

So it is with our national business machine. If we can spend \$5,000,000,000 and make our economic machine operate so that we can turn our national income back toward eighty billions a year, instead of forty, the costs will be more than offset; our Nation will profit forty billions a year.

In short, if by spending five billions we can cause the national machine to increase its income by forty billions, the repayment of the five billions is a minor matter.

The Government's emergency expenditures are moneys spent to promote a bigger national income, and, as in the case of the manufacturer, revenues from the bigger national income have been and will be set aside to amortize the debt.

Most of the expenditures for recovery are already either specifically provided for by taxes or are loans which legitimately must be repaid. For example, the farm-adjustment program is to be paid for by taxes on the processing of farm products. These taxes are now being collected. Farm credits are loans to the farmers, not gifts. The same holds true of advances to home owners, to States and municipalities from Public Works funds, and to banks and insurance companies by the Reconstruction Finance Corporation. The carrying charges on these loans have been provided for through taxes. This is true even of the N.R.A. program, including the \$3,300,000,000 Public Works fund.

It will immediately be said that the farmer, the home owner, and the other borrowers cannot repay these loans unless better times come as a consequence of the recovery measures. This is quite true. But from actual figures now

at hand we can see clear indications of a movement toward restoration.

In July of 1932 the Government's deficit was \$735,431,219.68. One year later, July 1, 1933, the deficit was only \$241,169,913.82—less than a third as much.

This sharp reduction in our deficit is due chiefly to a reduction of about 25 percent in our regular expenditures, income from the beer tax, an increase in revenue taxes, and the fact that the Government was receiving income from special recovery taxes before actual outlays of money for recovery purposes had become great. For example, the farm processing taxes have already yielded approximately \$10,000,000.

More important, the increase in revenue can be explained in part by the fact that the national income is greater than it was. This is the very objective we seek, for as national income becomes greater there is a proportionate increase in the Government revenues from which the deficit for emergency measures will be met.

The present administration may be likened to a receivership trying to reorganize a failed business, using what it can of the old methods and injecting new ideas. But when receiverships fail to resuscitate business that business ceases to exist and a new company occupies the old site. That is our present predicament.

If leaders of industry sabotage the program of recovery and saddle the blame on those who are trying to do the job, they will precipitate a tidal wave which may engulf them. They must be made to see that the old order is dead and a new one is being born. We can make the new order, through receivership methods, something we like or one we abhor. But that is our only choice.

Industrialists are not yet making the sacrifices necessary to recovery. There is much yet to be done in bringing order into our affairs, though there is no reason to doubt that we are on the right track.

At any rate, \$5,000,000,000 is not a great price to pay for recovery. We cheerfully and without criticism raised some \$20,000,000,000 in 2 years to fight a war in 1917-18, and no one ever questioned its repayment.

Yet with five billions—one fourth of the amount spent on war—being paid out to re-create national wealth, give work and contentment to our people, there are those whose chief worry is that we may be bankrupted. This is beside the point. If we are bankrupt it will not be because we spent some billions of dollars but because our measures were unwise. Five billions of dollars is an investment to restore our economic health, and it ought to pay dividends—perhaps within a year—which may give the Treasury a surplus.

To show what I mean, let me project some figures for comparison: The national income for 1928 was eighty-two billions, and the income-tax amounted to 2.2 billions. Let us assume, on the present rate of progress, that the recovery measures will bring us back 50 percent toward the prosperity of 1928—and do this within a year. The national income, then, should increase from forty billions to sixty billions for 1934, and the income-tax yield should rise from 746 millions to 1.1 billions. Actually, when our income was sixty billions, in 1931, the income-tax yielded 1.9 billions. We ought to be able to count on this much, and it is a substantial answer to those who profess so many fears at present.

In addition, immense revenue is expected from liquors, with the repeal of the eighteenth amendment, and from increased customs duties as international trade revives. It would not be extravagant to expect that, with a 50-percent revival, our total revenues might be five billions for the year.

Assume that our total expenditures for extraordinary purposes should add ten billions to the national debt over a 3-year period of recovery, and that our revenues in the first year were four, in the second six, and in the third eight billions. Assume, also, that our ordinary expenses continued at about two and one-half billions. In the first year, then, we should pay off one and one half billions, in the second three and one half billions, and in the third year five and one half billions of the total ten billions. The recovery debt would be paid in 3 years, with a half billion dollars to spare.

Figures like these are conjectural. No one can predict the percentage of recovery to be expected during any given period. But, assuming that the program produces substantial results, such an outcome is not at all fantastic. Our national income fell from eighty-two to sixty billions in 2 years, and to forty billions in 3 years. The fact that it was once as high as eighty-two billions means that we have the resources, the factories, and the man power to produce that much. We have capacities we are not using. These are not lost. All we need is the courage and the intelligence to put them to work. And if we fell off forty billions in 3 years, perhaps we can get it back in the same time.

The recovery plan is one way to get back to prosperity. If it costs ten billions over 3 years to set us on a basis of eighty instead of forty billions of income a year, our effort will have cost us comparatively little. We shall have spent an average of three and three tenths billions a year to gain forty. If you think about the country instead of any individual sacrifice which may be involved, this is worth working for heart and soul.

It is a national effort. Government cannot do it alone. No few industrialists can help enough. The whole country has to go along. If it does, we shall get back to the eighty-billion days in short order. And we shall pay the costs without particular pain to anyone.

THE PLIGHT OF THE DAIRYMEN

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. CULKIN. Mr. Speaker, in America dairying is a major industry and its chief product, milk, is absolutely essential to the growth of the young and the welfare of our people. The cow is in fact the foster mother of the human race. Twenty million people within these United States are dependent upon dairying for their livelihood and there are approximately 4,000,000 dairy units in America. The number of cows in America at the present time is approximately 21,000,000, with an aggregate value of approximately \$2,000,000,000. The annual output of the dairies of the country is, in round numbers, 125,000,000,000 pounds of milk, valued at over \$3,000,000,000. This valuation, of course, includes marketing and labor costs. About one half of this milk is used for fluid consumption in our homes, the balance going into powdered milk, cheese, and butter.

Despite the fact that the output of our dairies is essential to national well-being and that dairying is the only type of farming which conserves soil fertility, there is no agricultural group whose economic condition has been more depressed. There is no farming group whose situation has been more thoroughly exploited by the middleman or whose situation has been so outrageously manhandled by governmental experimentation. The dairymen, as a group, are a taciturn generation. They have not worn a path to the Treasury and have not been on the firing line clamoring for governmental aid. But their situation is no less grievous, and the financial return to the average dairy farmer, throwing into the scale the services of his wife and family, is but \$750 per year. The dairy farmer is tied to the soil and his situation cries to heaven for relief.

The situation of the New York State dairyman is typical. His land is being sold for taxes, and while he is making a necessary contribution to the health of the people, he finds himself without sufficient return to live comfortably, free from the stress of poverty. He likewise finds himself unable, as has been his practice for generations, to educate his worth-while child.

May I say that the farmers of New York are more truly farmers in the original sense than those that till the soil, for long before the husbandman tilled the earth for profit men drove their animals from place to place and lived upon their milk. The average resident of the country and a good many Members of the House cannot see New York State in terms of agriculture. If he does think of New York at all, he visualizes Wall Street and does not consider this great army of New York producers. This spirit has

infected the present agricultural administration. Let me say to the House that the dairy cattle of New York State, which numbers 2,120,000, are valued at over \$200,000,000. For generations New York State has been well to the top in the production of dairy products. New York State, in fact, pioneered that field. It originated the sanitary production and distribution of milk and laid the basis of the pedigreed herd in America. The people in my district and indeed the thinking people of the country have come to realize that the economic well-being of great sections of the country is up or down, according to the condition of the dairymen.

RELIEF MEASURES HAVE FAILED

In April 1933 we passed the Agricultural Adjustment Act, which included dairy products. I voted for this measure, and it was my hope and belief that out of it would come some amelioration of the dairymen's condition. Over a year has passed since the enactment of this law and the condition of the dairymen under the Agricultural Adjustment Act has been in fact aggravated and further depressed. The distinguished Secretary of Agriculture started out with the theory that the dairymen were in better condition than the wheat, corn, and cotton farmer. In an apologetic and belated program, set forth in a speech made at Madison, Wis., on January 31, 1934, Secretary Wallace, almost a year after the passage of the act, stated that he was now going to take up the question of the dairymen's condition. What a great concession this was! During the year 1933 in various speeches Secretary Wallace was captious and critical when he referred to the dairymen. At times he became even abusive. At the New York State fair in August of 1933 he roundly scored the dairymen for the New York and mid-western milk strikes, which were brought on largely by his do-nothing attitude and his idle vaporings against the organizations which had saved the dairymen from utter destruction.

In his Madison speech he prated about the necessity for organization and then he and his underlings sought to destroy what solidarity the dairymen had achieved. In that same speech he took a leaf from the book of Lenin, the Russian dictator, when he said:

Any group that looks with favor on strikes as a means of intimidation must realize that the Department of Justice will scrutinize most carefully all strikes which involve interstate commerce and the movement of the United States mail.

Thus these propagandists of the new deal serve notice that they will visit upon the dairymen their wrath if they resort to extreme measures as a means of improving their condition. Nor is that the whole picture. He and his cohorts in the dairying field, in obedience to the Secretary's complex that farm relief has no place except in the mid-western country where the agricultural group is and has been for a long time most vocal, attempt to depress the price of fluid milk in the various eastern and southern milksheds. This is to be the preliminary step in the nationalism of the dairy industry. He and Messrs. Tugwell, Ezekiel, Frank, and Bean, after playing directly into the hands of the distributors by cancellation of the milk licenses and agreements, agree that their first step is to depress the price of fluid milk. This, of course, would increase the profits to the distributor, concerning whose earnings the Secretary stated in his Madison speech of January 1934:

I have the composite figures on distributors' profits in St. Louis, Chicago, Boston, and Philadelphia for the 5 years ending December 31, 1933. These figures are for distributors handling from two thirds to 90 percent of the milk in these cities. As the Government auditors—not the distributors, of course—figure, the distributors in these four cities took profits during the 5 years as follows: St. Louis distributors averaged 14.6 percent net profit; Boston, 22.5 percent; Chicago, 25.8 percent; Philadelphia, 30.8 percent. In 1933 our auditors' estimates indicate that St. Louis distributors averaged 7.3 percent net profit; Chicago, 10.9 percent; Boston, 16.3 percent; and Philadelphia, 21.7 percent.

Then followed the absurd and fanciful attempt to fix the price of fluid milk in the various sheds based on the fluctuating price of butter in the Chicago market. It was not the intention of that section of the "brain trust" in com-

mand of dairying in the A.A.A. to discipline or bring the distributors to terms. Their obvious and initial purpose was to depress the price of fluid milk and tie it up with impossible hypotheses, regardless of transportation costs, the feeding problem, and labor conditions which differ widely in the various milksheds throughout the country.

The A.A.A.'s whole administration of this problem has been characterized by fumbling, uncertainty, and its only tendency was to adopt policies which were oppressive and destructive of the solidarity the dairymen had gained by organization in an effort to obtain a bare living price for their product. The Department at one stage refused to deal with the representatives of the producers, preferring to deal with them en masse. This made it appear that its seeming purpose was to nationalize milk. This gives color to the charge of communism within the Department. It gives color to the charge, as well, that the roots of some of the "brain trusters" reach back into the chain-store organizations, who are the main chislers in the fluid-milk field.

By this time the dairying group of America had become thoroughly aroused to the danger of the situation. They presented their situation to their Representatives in Congress who effected a congressional organization including Members who represented dairying districts. This had the effect of slowing down the "brain trusters" but not until much of the ground that had been gained by the dairymen through cooperative and other organizations had been effectually destroyed. The Department then proposed a new type of agreement to fix the resale price of milk on the ground that it was unconstitutional. These proposed agreements, the effect of which would be to place the destinies of the dairymen in the control of the "brain trust" and other parlor socialists of the A.A.A., have been almost unanimously repudiated by the dairymen of America. The result has been that this vaunted legislation from which so much was expected, after being used as an instrument of oppression and price reduction, was thrown into the discard. Obviously the future of the dairymen, at least during the Wallace regime, must depend upon organization of producers supplemented by such State control boards patterned on the New York State act, recently declared constitutional by the United States Supreme Court.

NO DAIRYING SURPLUS

I am safe in saying that there is no actual surplus in the dairying field in America. I include herewith a table showing the per capita consumption of whole milk per year in the various civilized countries.

Country	Year	Gallons
Finland	1928	83.9
Switzerland	1927	70.4
Sweden	1914	69.7
Norway	1927	56.0
United States	1926	55.3
Canada	1927	51.0
Czechoslovakia	1928	45.8
Austria	1926	45.0
Netherlands	1927	42.7
New Zealand	1927	37.4
Austria	1926	37.1
Great Britain	1922	30.9
Germany	1928	27.3
France	1928	25.0

It is obvious that fluid-milk consumption in America has not begun to reach its peak and that by intelligent stimulation the Department, together with a curbing of the excessive distributors' profits, which have always been treated academically by the Department, would result in greatly increased consumption in America.

It is now stated that the rejection of the program of the A.A.A. was caused by propaganda financed by the distributors. There is, of course, always one black sheep in every flock. There is available, however, a definite poll of the dairying group taken by Hoards Dairyman, a high-class and authoritative dairying publication. I insert herein that portion of the poll which shows the verdict of 4,909 families

on dairy-farm relief. This includes the effect of the N.R.A. on the dairymen:

	Yes	No	Maybe
1. Has the N.R.A.—			
Raised price of things you buy	445	103	86
Raised prices of things you sell	500	3,173	543
2. Mark "yes" or "no" on the following dairy plans as to their possibility of helping you as a farmer:			
(a) The butter fat allotment plan	459	2,070	
(b) The Hoard's Dairyman plan	3,214	414	
(c) The diseased-cow plan	1,521	1,103	
3. Should dairy processing taxes be assessed on basis of—			
(a) A certain number of cents per pound fat on all butter fat produced	558	1,842	
(b) A rate per pound fat that would vary according to the price received by producers	1,912	980	
4. Should the Federal Government prohibit the manufacture and sale of oleomargarine	3,540	745	

BUTTER

The history of the Department's action with reference to butter is an interesting chapter. It is a continued story of the Department's attempt to destroy the solidarity of the dairying group. The "brain trusters" have attempted to drive a wedge between the fluid-milk group and the butter group. Obviously in their attempt to nationalize milk products they intend to destroy them one group at a time. There is and should be no division between the butter and fluid-milk groups. The history of butter purchases and the contract of Secretary Wallace with Mr. John Brandt, of the Land O'Lakes Creamery, is a record of stupidity and broken faith. On the 17th day of August 1933 the Secretary of Agriculture agreed to take \$30,000,000 worth of butter off the market. After the purchase of some \$11,000,000 worth of butter, and without warning of any sort, this support of the market was withdrawn. Nor was any intelligent publicity given the handling of this situation. The Secretary of Agriculture terminated this procedure on December 16, 1933, with the resulting decline of 7 cents per pound in the price of 92-score butter. The only initiative that the departmental theorists have displayed in this connection has been the attempt to alienate the butter groups from the fluid-milk groups through departmental propaganda that low butter prices result from the higher prices received for fluid milk. I again call the attention of the House to the fact that while the Department is insisting that the fluid-milk group are receiving high prices, they are in fact not in receipt of sufficient income to live comfortably, pay their taxes, and give adequate education to their children. There is an actual underconsumption of butter in America as will be seen by the following table:

[Pirtle, T. R. Supplement to Handbook of Dairy Statistics, Washington, D.C., U.S. Bureau of Agricultural Economics, April 1930]

Country	Year	Pounds per capita
New Zealand	1926-28	24.1
Austria	1928	29.8
Canada	1928	29.3
Finland	1927	20.7
Germany	1928	19.7
Sweden	1926	18.6
United States	1928	17.3
Great Britain	1927	16.0
Switzerland	1928	13.0
Netherlands	1927	12.6

DEPARTMENT ATTITUDE ON CHEESE

Not one thing has been done by the administration with reference to cheese. In his release of August 17, 1933, the Secretary of Agriculture stated that it was the intention to buy enough cheese to improve the present dairy prices. For more than a year not one pound of cheese was bought by the marketing corporation for disbursement through the relief organizations, and the Wisconsin cheese maker saw his market destroyed and no relief in sight. There is likewise an underconsumption of cheese in America, as the following table will establish:

Country	Year	Pounds, per capita
Switzerland	1928	24.0
Netherlands	1923	13.5
Italy	1928	12.1
Norway	1927	10.7
Germany	1928	10.6
France	1925	10.5
Great Britain	1927	10.0
Denmark	1927	10.0
Sweden	1926	8.3
Austria	1926	6.1
New Zealand	1926-28	5.7
United States	1928	4.1
Union of South Africa	1927	4.0
Australia	1928	3.5

COCONUT OIL

Secretary Wallace has openly opposed the imposition of a 5-cent tax on coconut and sesame oils in the Senate. Secretary Wallace is an economic internationalist. His heart bleeds for the Cuban Sugar Trust and the Philippine importer. The Secretary, of course, speaks in terms of international trade. One of the chief sources of butter substitutes is coconut oil compounded from filthy copra. Congress placed a tax on this oil so that it might not, in a spurious and counterfeited form, come in competition with American butter. Secretary Wallace, in his pamphlet entitled "America Must Choose", urges the elimination of the tariff on edible oils, sugar, flax, and wool. The House should remember that none of these items are in the surplus-production group, but the Secretary of Agriculture has declared all of them uneconomic, and has signed their death warrant. The loyalty of this A.A.A. group to the American Constitution has been questioned. I do not go that far, but it is my opinion that these gentlemen are "blue domers", with their heads in the clouds and their feet out of touch with Mother Earth. It is interesting to note that the pamphlet in question is being printed and distributed by several international groups. The Senate cut this tax on coconut oil to 3 cents per pound and directed the return of the receipts to the Philippine government. The House conferees agreed to this provision, and this, so long delayed and so important to the American dairyman, is now a law. The fact remains, however, that Secretary Wallace and the Tugwell-Ezekiel group have shown their hand.

CATTLE AS A BASIC INDUSTRY

H.R. 7478 amends the A.A.A. so as to include cattle as a basic agricultural commodity. This description, of course, includes both beef cattle and milk cows. Under the bill as amended in the Senate and signed by the President, \$250,000,000 is authorized for the purpose of giving relief to these groups and it is divided 60 percent and 40 percent. Congress has now appropriated \$150,000,000. It will be interesting to see whether it is done equitably or whether certain favorite States which have definitely come into the picture of overproduction recently, get the entire benefit. The dairy industry is fortunate in having Mr. Lauterbach in command of this division. He is a midwesterner, but I am confident that he will make these disbursements from an equitable, national standpoint. I am confident that in his hands the plight of the eastern and southern dairymen will be given just consideration in the disbursement of these funds. We shall await the outcome with interest.

PROHIBITING THE SALE OF OLEO IN AMERICA

I beg leave to call the attention of the House to a bill which I have introduced prohibiting the manufacture and sale of butter substitutes in America. This, in my judgment, would be a noteworthy contribution to the health and well-being of the people of America. The essential parts of the bill are as follows:

- Be it enacted, etc., That no person, copartnership, or corporation shall manufacture, import into the United States, transport interstate, or offer, sell, or have in his possession for sale, any oleomargarine, margarine, butterine, or other substitutes for butter, manufactured wholly or in part from any fat other than that of milk or cream.
- Sec. 2. That no person, copartnership, or corporation shall manufacture, import into the United States, or sell, offer, expose,

or have in possession for sale, any milk or cream or substitute therefor which contains any fat or oil other than that of milk.

Sec. 3. That no person, copartnership, or corporation shall have upon premises occupied by him or them where any dairy product is treated, manipulated, manufactured, or reworked, any substance that might be used for adulteration of any such product and the presence upon any such premises of any fat or oil capable of being used for such adulteration shall be prima facie proof of intent so to use it.

Sec. 4. Any violation of the foregoing shall be a misdemeanor, and upon conviction of a violation thereof a penalty of not more than 1 year or a fine of \$1,000, or both said fine and imprisonment, may be imposed.

This bill is patterned exactly upon the law that has been in effect in Canada for 10 years. To my mind there is nothing so criminal as the business of selling synthetic food to the American people. Chemistry has gone far and vegetable and oleomargarine products are produced in a form identical in taste and appearance with butter. This can be produced at a price which is but a fraction of the cost of producing the real article. Congress in permitting the manufacture and sale of synthetic butter signally fails in its duty to the Nation. The sale of oleo and vegetable margarine is a fraud on the American people. It has no vitamin value and whatever food value it ever had is steamed out of it by the processing. It is a sham and a deception and a substitute. It is a grosser fraud than selling paste diamonds for the real article. For the sale of these butter substitutes not only destroys the dairyman but it is seriously detrimental to the health of the American people, particularly those in tender years.

We will hear in this connection the conventional argument that the people should buy what they please. My judgment is that it is one of the functions of the Government to protect the health of the people from counterfeit foods. A race fed on synthetic food is unfit to bear arms. We should be brave enough to follow the example of Canada in the elimination of these fraudulent substitutes. The opponents of this measure will claim that eliminating this food is a discrimination against the very poor. I am familiar with the school of thought that will present this line of argument. They are a group that from the beginning have exploited the under dog. They are great constitutionalists. The fact is that there never was a time when butter was not cheaper than oleo for the reason that the spread of butter is sufficiently greater to offset the increase in price.

There can be no valid objection to the enactment of this law. Permit me to state that the production of oleomargarine including that produced from vegetable oils and animal fat amounted, in the year 1933, to about 250,000,000 pounds. I annex herewith a table showing the amount and value of products that went into the production of this counterfeit food:

Quantity and wholesale price of coconut oil, cottonseed oil, and animal fats used in oleomargarine manufacture, July 1931 to June 1932

Commodity	Used in manufacture, 1931-32	Wholesale prices 1931-32		Estimated value 1931-32 prices ¹
		Cents per pound	Cents per pound	
Coconut oil.....	127,967,000	5.30	4.80	\$6,782,000
Cottonseed oil.....	14,874,000	4.35	4.55	647,000
Butter.....	39,000	25.50	21.70	1,000
Neutral lard.....	10,557,000	7.70	6.90	813,000
Oleo oil.....	15,315,000	6.70	6.40	1,026,000
Oleo stearin.....	4,337,000	6.00	5.06	260,000
Oleo stock.....	641,000			

¹ Estimated value calculated by multiplying wholesale price times quantity used in manufacture.

² Average January to October. Prices for November and December not quoted.

It will be seen that the chief beneficiary of this production is the Philippine Islands, concerning whom Secretary Wallace and the administration are so much concerned.

The value of the cottonseed oil used in this production was \$647,000. I am creditably advised that the dairymen of America used in the year 1933 approximately \$100,000,000 of cottonseed oil products as food for their cows. They are and will continue to be one of the best customers of the cotton grower, provided the dairyman is not de-

stroyed by competition from counterfeit products. It seems to me clear, from the foregoing figures, that the self-interest of the cotton States require that they should join hands with the dairymen in the elimination of this substitute. It can be done by the enactment of the measure I propose. The same reasoning applies to the cattle-producing groups in America. Their total sales in 1933 of products that went into the production or manufacture of oleomargarine amounted to less than \$2,000,000. As the result of this unfair competition, the ability of the dairymen to buy meat for his family has been greatly decreased. If the buying power of the dairymen were restored through the elimination of this counterfeit butter, their purchases of meat would be increased, as I am informed, not less than \$50,000,000 annually.

I trust the representatives of both the cattle States and those of the cotton-growing States will see the light on this question. They themselves will be among the greatest beneficiaries through the enactment of this legislation. In all the civilized countries of the world butter substitutes have been made a matter of stringent regulation. In the Republic of France butter and oleo cannot be sold on the same premises. In Canada the manufacture and sale of oleo is completely forbidden. But there is another phase of the matter which I desire to bring before you. Four years ago I called the attention of the House to the erroneous belief that there was no possibility of fraud or deceit in the sale of these products. I said then I did not believe that to be true. I called attention to the fact that the first appearance of that murderous parasite, the racketeer, was in the field of foodstuffs. I called attention to the fact that with printing presses handy how simple it would be to relabel the counterfeit product. My fears appear to be well founded. The Palladium-Times of Oswego, N.Y., carried an Associated Press dispatch under date of May 12, 1934, which was as follows:

BARES MILLION-DOLLAR OLEOMARGARINE RACKET

BOSTON, May 12.—A million-dollar racket in which thousands of pounds of oleomargarine was colored and packaged as creamery butter has been uncovered here by Federal agents, Assistant United States Attorney Charles A. Rome revealed today.

Rome said the agents of the Federal Bureau of Pure Foods and Drugs were ready to place before a grand jury the results of their inquiry, showing the racket was operated by counterfeiters and bomb throwers.

Rome said the oleomargarine was shipped legally from Elgin, Ill., taken to a piggery at Stoneham, colored there, repackaged, and sold throughout the East as a high-class creamery product. He said at least 100,000 pounds has been shipped in recent months. A recent raid on a North End cheese factory, Rome said, disclosed a considerable quantity of counterfeit money, guns, and the materials for the manufacture of bombs.

This newspaper article illustrates the case most clearly. So long as this spurious product is permitted to be carried in the shops of America, so long will the temptation be present to do as these Boston racketeers have done. There is no question that a Nation-wide fraud is being committed upon the American people and it is made possible by the presence of this counterfeit product in our stores.

SUPREME COURT DECISION

There is, of course, another way out. A decision by the United States Supreme Court in the A. Magnano Co. against G. W. Hamilton, as attorney general of the State of Washington et al., held that the taxing power of the State on oleomargarine was plenary. If Congress fails in its duty the States should enact legislation taxing this counterfeit product out of existence.

CONCLUSION

Let me say to the dairymen of my own district and State, as well as to those similarly employed in other States, that their destiny must be worked out by home rule exercised through State legislation or by milk agreements within the various milksheds. It is my solemn judgment that the price they will have to pay for bungling, destructive Federal intervention is too great to be considered. New York State has blazed the trail by the enactment of a control act, and this act, which, strange to say, the "brain trusters" regarded as unconstitutional, has been declared valid by the Supreme Court of the United States.

I respectfully urge the dairymen of my district and State to support and aid in the enforcement of this State law. Vigorously and sympathetically enforced, it will eventually give them their place in the economic sun.

This Nation and the rest of the world are now emerging from the depression. The improved conditions due to this fact, supplemented by aid given by the State law, will, in my opinion, bring the dairymen out of the valley of despond into the economic light of a new day.

PERMISSION TO ADDRESS THE HOUSE

Mr. TERRELL of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TERRELL of Texas. Mr. Speaker, I do not get into the newspapers often, but an article appeared in the Washington Herald this morning bearing the headlines "Representative TERRELL Asks Probe of New Deal."

I did not ask any probe of the new deal and did not say anything like that.

I introduced a resolution providing for an investigation of the commissions, boards, and bureaus of this Government with a view to eliminating some of them to carry out the promises of the Democratic platform. I said nothing about the new deal.

The Democratic platform makes this statement with regard to the matter:

We advocate an immediate and drastic reduction of governmental expenditures by abolishing useless commissions and offices, consolidating departments and bureaus, and eliminating extravagance, to accomplish a saving of not less than 25 percent in the cost of the Federal Government.

Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD at this point the resolution I referred to.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution referred to follows:

Resolution providing for the appointment of a committee of the House to investigate the various executive and independent offices, commissions, boards, and bureaus, for the purpose of determining whether or not the Constitution authorizes the creation of all these agencies, and whether their work is necessary for the best interests of the people of the United States, and to recommend the repeal of all such agencies as are found to be unauthorized by the Constitution, or to be unnecessary for the best interests of the people of the United States, or to be uneconomical and unnecessary for the administration of the Government of the United States; and

Whereas there have been created and established by acts of Congress a vast number of independent offices, commissions, boards, and bureaus affecting the interest and welfare of the people, sometimes in an adverse manner, at great cost to the taxpayers; and

Whereas it is believed that some of these Government establishments are not authorized by the Constitution, and not necessary for the proper conduct of the Government, and detrimental to the best interests of the people, and inflict unnecessary tax burdens upon them: Now, therefore, be it

Resolved by the House of Representatives of the Seventy-third Congress., That a committee of seven Members of this House be appointed by the Speaker of the House to investigate every agency of the executive department of the Government, including all independent offices, commissions, boards, and bureaus appointed by the President or other executive authority, for the purpose of ascertaining whether or not any of these agencies were created without authority of the Constitution, or whether or not they are necessary for the proper and economical administration of the Government, and are necessary for the best interests and welfare of the people; and be it further

Resolved. That this committee shall sit in Washington, D.C., during the vacation of Congress and make a thorough investigation of the Government agencies referred to above, as to whether the creation of any or all of them is authorized by the Constitution, and whether or not any or all of the work being done by them is necessary for the proper and economical administration of the Government, and whether the people are getting value received for the money expended, and report its findings with recommendations, to the Seventy-fourth Congress, not later than February 1, 1935; and be it further

Resolved. That the said committee is authorized to administer oaths and subpoena witnesses, books, and papers affecting any matter they are examining or investigating, and a majority of the

committee shall constitute a quorum. The committee is authorized to employ such experts and clerical help as may be necessary for the proper investigation of any department coming under the terms of this resolution, and all governmental agencies included in the terms of this resolution shall furnish such assistance to the committee as may be requested by the committee in the proper discharge of its duties.

The sum of \$10,000, or so much thereof as may be necessary, is hereby authorized to be appropriated out of the contingent fund of the House of Representatives to defray the necessary expenses of the committee, and all such expenses shall be paid by voucher signed by the chairman and approved by a majority of the committee.

ELECTION CONTEST—CHANDLER V. BURNHAM

Mr. GAVAGAN. Mr. Speaker, I call up a privileged resolution in the matter of the election contest of Chandler against Burnham.

The Clerk read as follows:

House Resolution 386

Resolved. That George Burnham was elected a Representative in the Seventy-third Congress from the Twentieth Congressional District of California and is entitled to a seat as such Representative.

Mr. GAVAGAN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was adopted.

A motion to reconsider was laid on the table.

PRIVATE CALENDAR BILLS

Mr. BLACK. Mr. Speaker, there are several Private Calendar bills with Senate amendments on the Speaker's desk. I do not happen to have the numbers of the bills, but I desire to dispose of them. I desire to move that the House concur in the Senate amendments in the case of all the bills except one introduced by the gentleman from New York [Mr. Bloom].

I therefore ask unanimous consent that the bills may be reported and acted upon at this time.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The Clerk will report the bills.

JOHN A. RAPELYE

The Clerk reported the bill (H.R. 211) for the relief of John A. Rapelye, with the Senate amendment, as follows:

Page 1, line 3, strike out "Postmaster General" and insert "Comptroller General of the United States."

The Senate amendment was agreed to.

E. W. GILLESPIE

The Clerk reported the bill (H.R. 328) for the relief of E. W. Gillespie, with the Senate amendment, as follows:

Line 3, strike out "Postmaster General" and insert "Comptroller General of the United States."

The Senate amendment was agreed to.

C. A. DICKSON

The Clerk reported the bill (H.R. 916) for the relief of C. A. Dickson, with Senate amendments, as follows:

Line 3, strike out "Postmaster General" and insert: "Comptroller General of the United States."

Lines 5 and 6, strike out ", and to certify such credit to the Comptroller General."

The Senate amendments were agreed to.

GLENNA F. KELLEY

The Clerk reported the bill (H.R. 1197) for the relief of Glenna F. Kelley, with the following Senate amendment:

Line 3, strike out "Postmaster General" and insert: "Comptroller General of the United States."

The Senate amendment was agreed to.

R. GILBERTSEN

The Clerk reported the bill (H.R. 1211) for the relief of R. Gilbertsen, with the following Senate amendment:

Line 3, strike out "Postmaster General" and insert: "Comptroller General of the United States."

The Senate amendment was agreed to.

MARIE TOENBERG

The Clerk reported the bill (H.R. 1212) for the relief of Marie Toenberg, with the following Senate amendment:

Line 3, strike out "Postmaster General" and insert: "Comptroller General of the United States."

The Senate amendment was agreed to.

B. EDWARD WESTWOOD

The Clerk reported the bill (H.R. 4516), for the relief of B. Edward Westwood, with the following Senate amendment:

Line 3, strike out "Postmaster General" and insert "Comptroller General of the United States."

The Senate amendment was agreed to.

G. C. VANDOVER

The Clerk reported the bill (H.R. 4973), for the relief of G. C. Vandover, with the following Senate amendments:

(1) Page 1, line 4, after "Vandover-" insert: ", out of any money in the Treasury not otherwise appropriated."

(2) Page 1, line 6, strike out "[. Such sum is in full compensation]."

The Senate amendments were agreed to.

NICOLA VALERIO

The Clerk reported the bill (H.R. 5405), for the relief of Nicola Valerio, with the following Senate amendment:

Page 1, line 6, strike out "\$5,000" and insert "\$2,500."

The Senate amendment was agreed to.

IRENE BRAND ALPER

The Clerk reported the bill (H.R. 473), for the relief of Irene Brand Alper, with the following Senate amendment:

Page 1, line 4, after "pay", insert "out of any money in the Treasury not otherwise appropriated."

The Senate amendment was agreed to.

LAURA GOLDWATER

Mr. BLACK. Mr. Speaker, I ask unanimous consent to call up the bill (H.R. 4253) for the relief of Laura Goldwater, with a Senate amendment, disagree to the Senate amendment, and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. BLACK, RAMSPECK, and GUYER.

PLAYA DE FLOR LAND & IMPROVEMENT CO.

The Clerk reported the bill (H.R. 5284) for the relief of the Playa de Flor Land & Improvement Co., with the following Senate amendment:

Lines 4 and 5, strike out "without intervention of a jury."

The Senate amendment was agreed to.

D. W. TANNER

The Clerk reported the bill (H.R. 4533) for the relief of the widow of D. W. Tanner for expense of purchasing an artificial limb, with the following Senate amendments:

Line 3, after "the", insert "Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the."

Lines 5 and 6, strike out "be reimbursed in the amount" and insert "the sum."

The Senate amendments were agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to speak out of order for a half minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BLOOM. Mr. Speaker, I rise at this time to make an announcement that the tickets which have been sent to the Members for the commemorative services next Sunday morning are supposed to be for a seat in the gallery. The Members do not require a ticket to get into the House Chamber that morning. The seats of the Members will be on the floor the same as in the case of other similar services. The ticket which the Member received has a number on the

back and entitles a member of your family to a seat in the gallery.

Mr. McFARLANE. How about the children?

Mr. BLOOM. You may turn the ticket over to a child if you wish, but we ask that you bring no children on the floor that morning, because the demand for tickets is so great, and due to the fact that the Senate and the House and the Diplomatic Corps, the Supreme Court, and the Cabinet will be on the floor, there will be very few seats left on the floor. The ticket which you received is for a seat in the gallery.

Mr. HASTINGS. What hour?

Mr. BLOOM. Promptly at 11 o'clock.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 8. An act to add certain lands to the Boise National Forest;

S. 696. An act to authorize Frank W. Mahin, retired American Foreign Service officer, to accept from Her Majesty the Queen of the Netherlands the brevet and insignia of the Royal Netherlands Order of Orange Nassau;

S. 1541. An act for the relief of Mucia Alger;

S. 1807. An act to provide for the exchange of Indian and privately owned lands, Fort Mojave Indian Reservation, Ariz.;

S. 1997. An act to compensate Harriet C. Holaday;

S. 2379. An act to provide for the selection of certain lands in the State of Arizona for the use of the University of Arizona;

S. 2568. An act granting a leave of absence to settlers of homestead lands during the years 1932, 1933, and 1934; and

S. 3144. An act to legalize a bridge across the St. Louis River at or near Cloquet, Minn.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H.J.Res. 317. Joint resolution requesting the President of the United States of America to proclaim May 20, 1934, General La Fayette Memorial Day, for the observance and commemoration of the one hundredth anniversary of the death of General La Fayette.

RECESS

Mr. BANKHEAD. Mr. Speaker, I move that the House stand in recess until 7:30 p.m.

The motion was agreed to; accordingly (at 3 o'clock and 48 minutes p.m.), in accordance with its previous order, the House stood in recess until 7:30 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 7:30 p.m.

THE 30-HOUR WORK WEEK BILL

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

Mr. HOPE. Mr. Speaker, reserving the right to object, I shall not object to this request, but I shall object to any further requests of this kind.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCHULTE. Mr. Speaker, the gentleman from Massachusetts [Mr. CONNERY], the Chairman of the Committee on Labor, received a letter today and, owing to the fact that he is addressing a meeting of the Veterans of Foreign Wars, he finds it impossible to be here this evening. He has asked me to read this letter to the Members of the House:

AMERICAN FEDERATION OF LABOR,
Washington, D.C.

HON. WILLIAM P. CONNERY, Jr.,
United States House of Representatives,
Washington, D.C.

SIR: Labor throughout the country is calling for the enactment of the Connery 30-hour work-week bill before the present session of Congress adjourns. Working people everywhere are hoping and

trusting that Congress will not fail them or disappoint them. They firmly believe, indeed they are absolutely convinced, that the 30-hour work-week bill offers a real remedy for unemployment.

Because of the deep interest which working people have manifested in this bill, I am writing to ask you to sign the petition presented by Congressman ZIONCHECK, which is on the Clerk's desk, and which provides for the discharge of the Rules Committee from further consideration of the Connery 30-hour work week bill.

I earnestly hope and trust that the friends of labor in the House of Representatives will comply with this request promptly by signing the Zioncheck petition without a moment's delay. The officers and members of the American Federation of Labor and all its affiliated members will be indeed grateful to you if you will comply with this official and personal request.

Thanking you in advance, I beg to remain,
Sincerely yours,

WM. GREEN,
President American Federation of Labor.

I was also told to inform the Members that each Member of the House of Representatives on tomorrow morning will receive an identical letter signed by the president of the American Federation of Labor.

Owing to the chiseling that has gone on in big industry, which has refused to comply with the N.R.A., they find it compulsory at this particular time to see that this 30-hour work week bill is enacted into law.

Mr. GOSS. Will the gentleman yield?

Mr. SCHULTE. I yield.

Mr. GOSS. The gentleman does not mean to say that all industry is not complying with the N.R.A.?

Mr. SCHULTE. I may say to the gentleman that about 55 percent are refusing to comply with the N.R.A. and especially is this true in my district, where they are working men as much as 60 and 70 hours per week, and when the men in these industries complain to the officers, they are told that if they do not behave themselves and keep quiet they will be dismissed from the service of these particular companies.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ELTSE of California, for an indefinite period, on account of serious illness in his family.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 86. An act for the relief of A. L. Ostrander; to the Committee on Claims.

S. 488. An act for the relief of Norman Beier; to the Committee on Claims.

S. 522. An act for the relief of Patrick J. Sullivan; to the Committee on Military Affairs.

S. 740. An act for the relief of William G. Fulton; to the Committee on Claims.

S. 867. An act to define, regulate, and license real-estate brokers and real-estate salesmen; to create a real-estate commission in the District of Columbia, to protect the public against fraud in real-estate transactions, and for other purposes; to the Committee on the District of Columbia.

S. 1629. An act for the relief of the Southern Products Co.; to the Committee on Claims.

S. 1666. An act to carry out the findings of the Court of Claims in the case of the Wales Island Packing Co.; to the Committee on Claims.

S. 1710. An act to authorize appropriations for the completion of the public high school at Frazer, Mont.; to the Committee on Indian Affairs.

S. 1818. An act for the relief of W. P. Fuller & Co.; to the Committee on Claims.

S. 1822. An act for the relief of Harold Sorenson; to the Committee on Claims.

S. 1825. An act authorizing the Secretary of the Interior to issue patents to the numbered school sections in place, granted to the States by the act approved February 22, 1889, by the act approved January 25, 1927 (44 Stat. 1026), and by any other act of Congress; to the Committee on the Public Lands.

S. 1884. An act to prevent the use of Federal official patronage in elections and to prohibit Federal officeholders

from misuse of positions of public trust for private and partisan ends; to the Committee on the Judiciary.

S. 2286. An act to provide funds for cooperation with Joint School District No. 28, Lake and Missoula Counties, Mont., for extension of public-school buildings to be available to Indian children of the Flathead Indian Reservation; to the Committee on Indian Affairs.

S. 2506. An act to provide funds for cooperation with White Swan School District No. 88, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation; to the Committee on Indian Affairs.

S. 2614. An act to authorize the Secretary of the Interior to adjust irrigation charges on projects on Indian reservations, and for other purposes; to the Committee on Indian Affairs.

S. 2872. An act for the relief of Marie Louise Belanger; to the Committee on Claims.

S. 2873. An act for the relief of Stella D. Wickersham; to the Committee on Claims.

S. 2893. An act to provide funds for cooperation with School District No. 27, Big Horn County, Mont., for extension of public-school buildings to be available to Indian children; to the Committee on Indian Affairs.

S. 2938. An act for the relief of Harry L. Reaves; to the Committee on Military Affairs.

S. 3059. An act for relief of Joseph M. Thomas, alias Joseph Thomas, alias Thomas O'Donnell; to the Committee on Military Affairs.

S. 3156. An act for the relief of Mary Angela Moert; to the Committee on Claims.

S. 3192. An act for the relief of Arthur Hansel; to the Committee on Claims.

S. 3248. An act for the relief of J. B. Walker; to the Committee on Claims.

S. 3264. An act for the relief of Muriel Crichton; to the Committee on Claims.

S. 3280. An act to carry out the findings of the Court of Claims in the claim of the Morse Dry Dock and Repair Co.; to the Committee on Claims.

S. 3322. An act to carry out the findings of the Court of Claims in the case of the Union Iron Works; to the Committee on Claims.

S. 3408. An act to provide for a preliminary examination of Cromline Creek in the State of New York, with a view to the control of its floods; to the Committee on Flood Control.

S. 3442. An act to dissolve the Ellen Wilson Memorial Homes; to the Committee on the District of Columbia.

S. 3443. An act to provide for the creation of the Pioneer National Monument in the State of Kentucky, and for other purposes; to the Committee on the Public Lands.

S. 3457. An act to authorize the Secretary of War to sell or dispose of certain surplus real estate of the War Department; to the Committee on Military Affairs.

S. 3487. An act relating to direct loans for industrial purposes by Federal Reserve banks, and for other purposes; to the Committee on Banking and Currency.

S.J.Res. 67. Joint resolution directing the Comptroller General to adjust the account between the United States and the State of Connecticut; to the Committee on the Judiciary.

S.J.Res. 91. Joint resolution to supplement the authority of the Federal Trade Commission to obtain information relating to the salaries of officers and directors of certain corporations whose securities are listed on the New York stock exchanges; to the Committee on Interstate and Foreign Commerce.

S.J.Res. 106. Joint resolution authorizing loans to fruit growers for rehabilitation of orchards during the year 1934; to the Committee on Agriculture.

S.J.Res. 108. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Eloy Alfaro and Jaime Eduardo Alfaro, citizens of Ecuador; to the Committee on Military Affairs.

S.J.Res. 109. Joint resolution authorizing a study by the Bureau of the Census with respect to the cotton stocks held in the United States; to the Committee on the Census.

THE PRIVATE CALENDAR

The SPEAKER. The Clerk will call the first bill on the Private Calendar.

ALBERT H. JACOBSON

Mr. WILCOX. Mr. Speaker, on the last call of the Private Calendar the bills, Calendar Nos. 384, 418, and 454, were objected to. I ask unanimous consent to revert to these bills and take them up in the order named. I am authorized to say that the gentleman who objected when these bills were called, is agreeable to returning to them at this time and taking them up.

The SPEAKER. The gentleman from Florida asks unanimous consent to return to Private Calendar No. 384, the bill (H.R. 2802) for the relief of Albert H. Jacobson.

Mr. BLANCHARD. Mr. Speaker, reserving the right to object, does the gentleman propose to take up more than one of those bills that were passed over?

Mr. WILCOX. Yes.

Mr. TRUAX. Mr. Speaker, reserving the right to object, I may say to the gentleman that if we establish this precedent right now of returning to bills instead of taking up the calendar as it is before us and starting with 460, we will not get very far with the calling of the calendar tonight.

Mr. ZIONCHECK. Mr. Speaker, will the gentleman yield?

Mr. TRUAX. Yes.

Mr. ZIONCHECK. The particular bill that the gentleman is bringing up now is a bill that I asked be passed over without prejudice.

Mr. TRUAX. The gentleman has several bills, I understand.

Mr. ZIONCHECK. There are three bills. The other bills I objected to by inadvertence.

Mr. BLANTON. What is the amount carried in the bill?

Mr. WILCOX. The bill is for \$2,000, but the report recommends a reduction in the amount.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the title of the bill.

Mr. BLANCHARD. Mr. Speaker, I reserve the right to object, to ask the author of the bill if he has consulted anyone on this side of the House with respect to these bills.

Mr. WILCOX. I do not believe I have discussed them with any of the Members on that side of the House.

This particular claim is one that arises in this way: Some 3 or 4 years ago Mr. Jacobson was arrested under the national prohibition law by prohibition officers and charged with the illegal transportation of whisky. His automobile was seized and taken charge of by the prohibition officers. He was tried and acquitted of any violation of the law. He went over to get his automobile, only to find that the prohibition officers had been using it as a raiding car and had torn it up.

Mr. BLANCHARD. I withdraw my reservation of objection, Mr. Speaker.

Mr. LESINSKI. Mr. Speaker, I object.

LYMAN D. DRAKE, JR.

Mr. WILCOX. Mr. Speaker, the next bill to which I ask unanimous consent to return is no. 418 on the calendar, the bill (H.R. 4670) for the relief of Lyman D. Drake, Jr.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. Is there objection to the request of the present consideration of the bill?

Mr. WEIDEMAN. Mr. Speaker, reserving the right to object, I would like to know what this bill is about.

Mr. WILCOX. This is a very meritorious bill, I will say to the gentleman from Michigan, and grows out of an injury to Mr. Drake while an employee of the Isthmian Railroad.

Mr. WEIDEMAN. I withdraw my objection, Mr. Speaker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lyman D. Drake, Jr., of Miami, Fla., the sum of \$10,000, out of any money in the Treasury not otherwise appropriated, for personal injuries received while in the employ of and working upon the Panama Railroad and in connection with that service and in the employ of the Panama Canal Commission as brakeman upon the Panama Railroad.

With the following committee amendments:

Page 1, line 5, strike out "\$10,000" and insert in lieu thereof "\$2,500", and in line 10, after the word "railroad", insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL ARMS & FUSE CO.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the bill H.R. 6241, which was to come up first on the calendar tonight, be passed over and placed at the top of the calendar for the next call of the Private Calendar. It is a jurisdictional bill—to confer jurisdiction on the Court of Claims.

The SPEAKER. Is there objection?

There was no objection.

WALLACE E. ORDWAY

The Clerk called the next bill on the Private Calendar, H.R. 4966, for the relief of Wallace E. Ordway.

The SPEAKER pro tempore (Mr. PARSONS). Is there objection?

Mr. ZIONCHECK. Reserving the right to object, this is a bill sponsored by the gentleman from Oregon [Mr. PIERCE] that was passed over at the last consideration of the calendar on a question of liability. I understand the gentleman from Oregon [Mr. PIERCE] wishes to make a statement as to where the hole was, with reference to the irrigation ditch.

Mr. PIERCE. There was a hole in the pathway outside of the fence on the Government roadway which the child stepped into and then went into the canal and was drowned. There is no question about the water washing the path away leaving the hole. I would like to read from the Senate report, which is more complete than the House report:

STATEMENT OF R. J. KITCHEN

It is rather a peculiar coincidence, but at the time this child was drowned Congressman Sinnott was in Klamath Falls, Oreg., and knew exactly how it happened. I had had several conferences with Congressman Sinnott before he was appointed judge of the Court of Claims and while he was Representative, and he assured me if I was unsuccessful in the suit against Klamath Falls he would use his best efforts in passing a bill in Congress for the relief of my client.

Mr. ZIONCHECK. If the gentleman will read the statement where the hole was, I think it will settle this question.

Mr. PIERCE (reading):

The Government owned a strip 150 feet wide right through part of the town. In the center was the irrigation ditch, fenced in just the part through which the deep canal runs, leaving about 30 or 40 feet on the side where the boy fell in the canal open to the public, and which the public used for automobiles and footpath. The public made a path at the top of the 50-foot embankment and adjoining the wire fence at the edge of the embankment. One not knowing the Government owned the strip outside of what they (the Government) had fenced in would naturally think the city owned it, as it was used generally by autos and pedestrians. At the time of the death of the boy and for a long time prior thereto water had run across the street adjoining the canal and had washed the embankment back so that there was a large hole in the footpath which pedestrians used. A grown person might

have avoided this hole, but a boy of 5 years, not knowing the danger, and not being capable of contributory negligence, would quite likely fall into it.

Mr. GOSS. As I recall, the gentleman from Ohio [Mr. HOLLISTER] objected to the bill and wanted to know whether the hole was on the side of the fence that the Government had jurisdiction of. I take it, from the statement of the gentleman, that that was a fact.

Mr. PIERCE. Absolutely.

Mr. GOSS. I understood the gentleman from Ohio that if he had known that fact he would not have objected to it.

Mr. PIERCE. He has so stated.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to substitute an identical Senate bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 258

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money not otherwise appropriated, the sum of \$4,000 to Wallace E. Ordway, of Klamath Falls, Oreg., as administrator. Such sum represents compensation to Wallace E. Ordway in his personal right and as administrator for the death of his son, Harry Ordway, who was drowned September 1, 1927, in the United States Irrigation Canal at Klamath Falls, Oreg.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM S. STEWARD

The Clerk called the next bill, H.R. 5122, for the relief of William S. Steward.

The SPEAKER pro tempore (Mr. PARSONS). Is there objection?

Mr. TRUAX. Mr. Speaker, what bills are we considering? Are we not starting with no. 460?

The SPEAKER pro tempore. These are bills passed over temporarily yesterday to be considered before we begin at the star. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the provisions of the act of Congress approved September 7, 1916, entitled "An act to provide compensation for employees of the United States receiving injuries in the performance of their duties, and for other purposes", are hereby extended to William S. Steward for injuries sustained by him while engaged in work for the Isthmian Canal Commission in 1912, and the Governor of the Panama Canal is authorized to pay said William S. Steward, from and after the passage of this act, such sums as would be due him had his injury occurred subsequent to September 7, 1916, such compensation to be a charge against the employees' compensation fund.

The bill was ordered to be engrossed and read a third time, was read a third time and passed, and a motion to reconsider laid on the table.

ALBERT M. JOHNSON AND WALTER SCOTT

The Clerk called the next bill, H.R. 3726, to grant a patent to Albert M. Johnson and Walter Scott.

The SPEAKER pro tempore. Is there objection?

Mr. TRUAX. Mr. Speaker, I object.

Mr. ZIONCHECK. Mr. Speaker, will the gentleman reserve his objection?

Mr. TRUAX. Yes.

Mr. ZIONCHECK. Mr. Speaker, this is a bill about which yesterday I asked many questions of the gentleman from California [Mr. ENGLEBRIGHT]. Since that time I have

talked to the gentleman from Nevada [Mr. SCRUGHAM], and he informs me that this man, Death Valley Scotty, is a real humanitarian and takes care of unfortunates who come along.

Mr. ENGLEBRIGHT. He is a meal ticket for all the bums.

Mr. ZIONCHECK. A meal ticket for all the bums, and when a man is a meal ticket for any unemployed at this time I do not feel I should object to his bill. I withdraw my objection.

The SPEAKER pro tempore. Is there objection?

Mr. TRUAX. Does this involve an appropriation?

Mr. ENGLEBRIGHT. No.

Mr. TRUAX. I withdraw my objection.

The SPEAKER pro tempore. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subject to prior valid existing rights the Secretary of the Interior is hereby authorized to issue a patent to Albert M. Johnson and/or Walter Scott (Death Valley Scotty) for the following-described land in the Death Valley National Monument upon payment therefor at the rate of \$1.25 per acre or under any applicable public land law subject, however, to the reservation of such rights-of-way as the said Secretary may determine to be necessary or advisable for use in connection with the administration of said monument, to wit:

Those parts of sections 1, 2, 3, 4, 9, 10, 11, and 12, township 11 south, range 42 east; and those parts of sections 5, 6, and 7, township 11 south, range 43 east, Mount Diablo meridian, California, occupied by Albert M. Johnson and/or Walter Scott in the form of Upper and Lower Grapevine Ranches and marked on the ground by concrete fence posts according to the Roger Wilson survey of 1931 and on file in the General Land Office; also the remainder of the southwest quarter northwest quarter section 10, township 11 south, range 42 east; and south half northwest quarter section 6, township 11 south, range 43 east; containing, in all, approximately 1,500 acres.

With the following committee amendments:

Page 2, line 3, strike out the figure "9."

Page 2, line 12, strike out the word "east;" and insert the word "east."

Page 2, line 13, at the beginning of the line insert "(lots 11 and 12)."

Page 2, line 15, after the word "acres" strike out the period, insert a colon and the following:

"*Provided,* That such patent shall contain a reservation to the United States of all the minerals the lands may contain, together with the right to prospect for, mine, and remove the same, such minerals to be subject to disposal by the United States only as may be hereafter expressly provided by law."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

FLORENCE OVERLY

The Clerk called the bill (H.R. 872) for the relief of Florence Overly.

The SPEAKER pro tempore. Is there objection?

Mr. LESINSKI. Mr. Speaker, I object.

MASSACHUSETTS BONDING & INSURANCE CO.

The Clerk called the bill (H.R. 4838) for the relief of the Massachusetts Bonding & Insurance Co., a corporation organized and existing under the laws of the State of Massachusetts.

The SPEAKER pro tempore. Is there objection?

Mr. TRUAX. Mr. Speaker, I object.

Mr. ZIONCHECK. Mr. Speaker, will the gentleman withdraw his objection until the gentleman from Massachusetts may make a statement?

Mr. TRUAX. Yes. This bill is for the relief of the Massachusetts Bonding & Insurance Co. I have heretofore objected to all such bills, and I propose to object to this one.

Mr. DOUGLASS. Mr. Speaker, this bill is for reimbursement to the Massachusetts Bonding Co. by the Postmaster General, as the bill will be amended, for the loss of a certain number of postal money orders amounting to \$22,216.47. Just let me read a part of the report:

On December 11, 1919, a messenger for Philipborn's, a mail-order house in Chicago, was robbed while taking 4,326 postal money orders, totaling \$29,396.37, to the National Bank of the Republic.

Mr. ZIONCHECK. Has this measure cost the Government any money whatever?

Mr. DOUGLASS. None whatever, and the money appropriated here will be taken out of the fund for the postal money orders which have not been paid.

Mr. ZIONCHECK. Is it my understanding that these post-office money orders are all of them over a year old and cannot be cashed now or negotiated?

Mr. DOUGLASS. These money orders cannot be paid. The money has been paid into the Treasury and the Government will lose no money, because they are only giving back to the bonding company money which they paid to the payees of the order.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. DOUGLASS. Yes.

Mr. BLANTON. When a Government bond is lost before the Government makes it good it requires an indemnity bond.

Mr. DOUGLASS. There is an indemnity bond provided in this bill.

Mr. BLANTON. For how much?

Mr. DOUGLASS. Double the amount of the appropriation.

Mr. BLANTON. Is there a provision made for keeping up the premiums upon it?

Mr. DOUGLASS. No. The provision is for a bond to be given by the insurance company to the Government in twice the amount to the money appropriated.

Mr. BLANTON. Unless an indemnity bond is kept alive by payment of the annual premium due each year, it is worthless after one year.

Mr. TRUAX. Mr. Speaker, I demand the regular order.

Mr. BLANTON. Then I object. I am not going to let a \$22,000 bill pass without getting a proper understanding about it, so as to safeguard the interest of the Government.

Mr. BLANCHARD. Mr. Speaker, I demand the regular order.

Mr. BLANTON. Mr. Speaker, I object.

DOMINIC FRACAPANE

The Clerk called the next bill, H.R. 5417, to reimburse Dominic Fracapane for injuries sustained in an accident with a Government-owned motor truck.

Mr. ZIONCHECK. Mr. Speaker, I object.

T. BROOKS ALFORD

The Clerk called the next bill, H.R. 5543, for the relief of T. Brooks Alford.

Mr. HOPE. Mr. Speaker, I object.

A. C. MESSLER CO.

The Clerk called the next bill, S. 503, to confer jurisdiction on the Court of Claims to hear and determine the claim of A. C. Messler Co.

Mr. BLANCHARD and Mr. DONDERO objected.

Mr. CONDON. Will the gentlemen withhold their objection?

Mr. BLANCHARD. I will withhold the objection.

Mr. CONDON. The last time this bill was called up—

Mr. TRUAX. Mr. Speaker, a point of inquiry.

The SPEAKER pro tempore (Mr. PARSONS). The gentleman will state it.

Mr. TRUAX. When are we to consider Calendar No. 460?

The SPEAKER pro tempore. As soon as the bills that were arranged for by unanimous consent are completed. A special arrangement was made for the calling of these particular bills.

Mr. ZIONCHECK. And that was by unanimous consent?

The SPEAKER pro tempore. That was by unanimous consent.

Mr. LAMNECK. How do you arrive at 503 on the calendar?

The SPEAKER pro tempore. Arrangement was made for the calling of these bills by unanimous consent.

Mr. ZIONCHECK. And that was yesterday at the close of the call of the Private Calendar.

Mr. CONDON. Mr. Speaker, when this bill was called last time the gentleman from Wisconsin [Mr. BLANCHARD] objected unless he could be given a letter from the War

Department stating that they had no objection to this bill being considered. I have a letter from the Secretary of War addressed to Mr. ALLGOOD, Chairman of the Committee on War Claims, in which the War Department interposes no objection, confirming the action of the War Department under the former Secretary of War, Mr. Hurley.

Mr. BLANCHARD. May I say to the gentleman from Rhode Island that the same letter says there is no merit whatsoever to this claim?

Mr. CONDON. That was only an expression on the part of the War Department, and we considered that a year ago. It is just a matter of going to the Court of Claims. I am sure the gentleman said a while ago that if we got this letter from the War Department saying that they would not interpose any objection to going to the Court of Claims, the gentleman would withdraw his objection here.

Mr. BLANCHARD. May I say to the gentleman from Rhode Island that it is a questionable policy to pass the buck to the Court of Claims on bills that apparently otherwise have no merit? I am quite satisfied in my own mind that if we send this to the Court of Claims the Court of Claims will reject the claim, and the United States Government will simply submit itself to some expense that we can avoid right here. That is my reason for objecting to the bill.

Mr. CONDON. If that had been stated in the first place, it would have avoided all this trouble.

Mr. BLANCHARD. Well, there has not been much trouble. We have just confirmed what we did before.

The SPEAKER pro tempore. Is there objection?

Mr. BLANCHARD. Mr. Speaker, I object.

GEORGE A. CARDEN AND ANDERSON T. HERD

The Clerk called the next bill, H.R. 8482, conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on certain claims of George A. Carden and Anderson T. Herd.

Mr. WEIDEMAN. Mr. Speaker, I object.

Mr. DUFFEY. Mr. Speaker, I object.

Mr. BROWNING. Will the gentleman withhold his objection?

Mr. DUFFEY. Mr. Speaker, I object.

Mr. LAMNECK. Mr. Speaker, it seems to me we are losing a lot of time here trying to proceed with business, when there is a certain determination on the part of certain Members to object to all these bills, and I move that we adjourn.

Mr. Speaker, I will withdraw the motion. If we can go ahead and transact business, I am willing to stay here; but if we are going to have a lot of horseplay, I am not in favor of staying here.

Mr. GAMBRILL. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

Mr. HOPE. Mr. Speaker, I object.

Mr. GAMBRILL. Mr. Speaker, it is an important message that I want to convey to the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. HOPE. Mr. Speaker, reserving the right to object, would the gentleman mind stating upon what subject he desires to address the House?

Mr. GAMBRILL. I have been in poor health for a year, and am forced to conserve my strength in every way possible, but I understand there is a movement on foot tonight to object to every bill sponsored by any Member who has not signed the McLeod petition. If this condition is to prevail, then the Congress of the United States should adjourn until its Members can transact business in an orderly manner, free from prejudice.

Mr. BLANTON. I think so myself; if there is any such movement on foot here in this Chamber, it would be a ridiculous situation, and we ought to adjourn.

Mr. LAMNECK. There is, I may say to the gentleman.

Mr. BLANTON. Then we might just as well adjourn, Mr. Speaker. It is ridiculous for a group of men to enter into an agreement like that. There are some good bills on this calendar that ought to have fair consideration tonight.

Mr. TRUAX. Mr. Speaker, reserving the right to object, we are passing bills here appropriating hundreds of thousands of dollars without anybody knowing just what they are.

Mr. BLANTON. Some of us know all about these bills. The gentleman can stop any of them by one objection.

Mr. TRUAX. I have stopped them. The gentleman from Texas can stop them as well as I.

Mr. BLANTON. I do not stop the good ones, but I do try to stop the bad ones.

Mr. ZIONCHECK. Mr. Speaker, will the gentleman yield?

Mr. TRUAX. I yield.

Mr. ZIONCHECK. Mr. Speaker, I am one of those who signed the McLeod bill. Whether I shall vote for it or not is another question, and I will not unless it includes relief to depositors in saving-and-loan and building-and-loan associations, although I seriously question the principle involved; but if these obstructive tactics are to prevail I shall withdraw my name from the petition. These private bills should be considered on their separate merits.

Mr. TRUAX. That is the gentleman's privilege. I shall not withdraw my name, nor shall I withdraw my name from the Frazier petition.

Mr. COCHRAN of Missouri. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is, Is there objection to the present consideration of the bill (H.R. 8482) conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on certain claims of George A. Carden and Anderson T. Herd?

Mr. BROWNING rose.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized to make a statement.

Mr. BROWNING. Mr. Speaker, does the gentleman from Michigan intend to object if we press for consideration of this bill this evening?

Mr. LEHR. Yes; I intend to object.

Mr. BROWNING. Will the gentleman object to the bill going over without prejudice?

Mr. LEHR. I want to object, and I understand there are two others who want to object.

Mr. BROWNING. Only one objection is required.

Mr. LEHR. I understand that.

Mr. DUFFEY. Mr. Speaker, I withdraw my objection.

Mr. BROWNING. Is the gentleman from Michigan willing to let the bill go over without prejudice?

Mr. LEHR. Yes.

Mr. BROWNING. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

W. R. McLEOD

Mr. ZIONCHECK. Mr. Speaker, in order to test the temper of the House, I ask unanimous consent to return to a very, very small bill which was objected to, Private Calendar No. 454, H.R. 5606, for the relief of W. R. McLeod, and ask for its present consideration. This is a bill which involves \$200.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington to return to Calendar No. 454?

There was no objection.

The Clerk read the title of the bill.

Mr. BLACK. Mr. Speaker, reserving the right to object, is this the McLeod bill?

Mr. ZIONCHECK. This is a bill for the relief of a man by the name of McLeod, Mr. Speaker; but it is not the McLeod of Michigan fame.

I have an amendment reducing the amount from \$374.02 to \$200.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise

appropriated, the sum of \$374.02, and when appropriated the Treasurer of the United States is hereby authorized and directed to pay same to W. R. McLeod, postmaster at Apopka, Fla., to reimburse him in the amount of postal funds stolen from the post office by burglars.

With the following committee amendment:

Page 1, line 9, after the word "burglars", insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

Mr. ZIONCHECK. Mr. Speaker, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. ZIONCHECK: Page 1, line 5, strike out "\$374.02" and insert in lieu thereof "\$200."

Mr. GOSS. Mr. Speaker, I ask recognition on the amendment and ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. GOSS. Mr. Speaker, it is evident tonight that some of us, and I am one of them, who signed the McLeod petition are somewhat disappointed at the tactics that have been used in trying to restrict the number of legislative days, but I want to say, in all fairness, that there are bills on this Private Calendar which involve the payment of money to widows, children, and other people. There are many parliamentary ways in which this House can take action on this bill or other petitions, even if some of us do not approve of certain things that have gone on on account of the parliamentary situation.

Mr. KVALE. Will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Minnesota.

Mr. KVALE. Does not the gentleman agree that the individuals involved in these private measures think that those bills for the moment are the most important thing in the world?

Mr. GOSS. I think that is true. Many of them cannot in any way secure relief except to come to this floor and ask it of the Congress. It is perfectly evident that this House can adjourn in 2 minutes if it wants to, but I want to appeal to the Members of the House, out of fairness to these people who cannot get relief in any other way, to please be reasonable and let us go on with the Private Calendar. I do not refer to the real conscientious objections which are made to bills, such as the gentleman from Texas [Mr. BLANTON] makes, but I am trying to appeal to the Members to go on and let us consider these things on their merits, and then we will work out the parliamentary situation. The minority is always protected in this House, if it uses the proper parliamentary procedure. It will not gain us anything to adjourn and then come in here at a later date.

I realize fully what has been done, and I appeal to the Members of the House as one of the signers, not threatening and not willing to take my name off the petition for anything that happens here tonight, to go on and pass these bills that are not objected to.

When the resolution comes in for the House to adjourn, at any time a majority of the House may vote it down; then you will be doing what you want to do for the McLeod bill or any other petition.

Mr. BLANTON. Will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Texas.

Mr. BLANTON. The gentleman knows that most of the business of this House is conducted by unanimous consent.

Mr. GOSS. Yes.

Mr. BLANTON. The gentleman is speaking out of order now by unanimous consent.

Mr. GOSS. I am.

Mr. BLANTON. That was because we permitted him to do so; yet the gentleman criticizes something which at noon was done here by unanimous consent.

Mr. GOSS. I am not criticizing anything.

Mr. BLANTON. The gentleman criticized the action taken here today in adjourning over, which was done by unanimous consent, and the gentleman never stopped it.

Mr. GOSS. I was not here. I was in the Military Affairs Committee.

Mr. BLANTON. It was the gentleman's duty to be here if he wanted to stop a unanimous-consent request. The gentleman is in the minority and he is not responsible for carrying on the administration's program. It is the majority here that is responsible for that.

Mr. GOSS. I am trying to appeal to the majority.

Mr. BLANTON. We are following our able majority leader, the distinguished gentleman from Tennessee [Mr. BYRNS], and we are behind him and supporting him.

Mr. COCHRAN of Missouri. Mr. Speaker, I demand the regular order.

Mr. GOSS. I want the Members to consider these bills this evening.

Mr. BOILEAU. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BOILEAU. Today shortly after 12 o'clock the majority leader asked unanimous consent that when the House adjourns today it adjourn to meet on Thursday of this week, and that when the House adjourns on Thursday it adjourn to meet on Monday of next week. My parliamentary inquiry is this: Is it now in order to move to reconsider the vote by which that unanimous-consent request was secured?

Mr. BLANTON. Why, no; that can be done only by unanimous consent, and that is not a parliamentary inquiry.

Mr. BOILEAU. I am not asking the gentleman from Texas for his opinion.

Mr. BLANTON. Well, I am answering the gentleman.

Mr. BOILEAU. I am not asking the gentleman from Texas to answer the parliamentary inquiry for me.

Mr. BLANTON. The rules of the House do not permit that.

Mr. BOILEAU. I suggest that the gentleman from Texas sit down for awhile.

Mr. BLANTON. Mr. Speaker, I ask for the regular order.

The SPEAKER pro tempore. The regular order is that the gentleman is propounding a parliamentary inquiry.

Mr. BOILEAU. Mr. Speaker, I desire to ask whether it is now in order to move to reconsider the vote by which the House agreed to adjourn from tonight until Thursday and from Thursday until Monday?

Mr. ZIONCHECK. I think a motion to reconsider is in order.

The SPEAKER pro tempore. The Chair thinks that the motion to reconsider might be in order on the same day or the succeeding day, if it were not for the fact that by unanimous consent special arrangements were made for the consideration of the Private Calendar on this particular occasion. Inasmuch as the House met this evening solely for the purpose of considering bills on the Private Calendar the Chair does not believe it would be in order to reconsider that vote at the present time.

Mr. BLANTON. That could be done only by unanimous consent anyway. No such motion would be in order. You cannot change the rules of the House except by unanimous consent.

Mr. BOILEAU. Mr. Speaker, may I be heard further on the point of order?

The SPEAKER pro tempore. The Chair will hear the gentleman further on the point of order.

Mr. BOILEAU. I desire to present this matter for the Speaker's consideration.

Mr. BLANTON. Mr. Speaker, I make the point of order that we have not a quorum. We are not going to waste the time of the House on any ridiculous parliamentary questions of this kind that are so patent to everybody, and I make the point of no quorum.

Mr. BLANCHARD. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. Evidently there is not a quorum present.

Mr. BLACK. Mr. Speaker, I move a call of the House.

Mr. BYRNS. Mr. Speaker, I move that the House do now adjourn.

Mr. BOILEAU. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BOILEAU. The gentleman from Tennessee made a statement in the well of the House which no Member of the House could hear, just as he did at noon when this unanimous consent was granted.

Mr. BYRNS. I resent that.

Mr. BOILEAU. You can resent it if you desire to.

Mr. BYRNS. I turned around at the time, and the gentleman was sitting in front of the gentleman from Minnesota; and I stated my request; and the gentleman is not telling the truth when he says I stated it in that way. [Applause.]

Mr. BOILEAU. The gentleman was standing right where he is now.

Mr. BYRNS. Mr. Speaker, has the Chair ruled that a quorum is not present?

The SPEAKER pro tempore. The Chair has stated that a quorum is not present.

Mr. BYRNS. Then undoubtedly we will have to adjourn or have a call of the House, and I am not willing to ask Members to come from their homes at quarter past 8, and I therefore move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. BLACK) there were—ayes 65, noes 20.

So the motion was agreed to.

ADJOURNMENT

Accordingly (at 8 o'clock and 15 minutes p.m.) the House, in accordance with its previous order, adjourned to meet on Thursday, May 17, 1934, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

473. Under clause 2 of rule XXIV a letter from the past adjutant general of the Grand Army of the Republic, transmitting the journal of the proceedings of the Sixty-seventh National Encampment of the Grand Army of the Republic, held at St. Paul, Minn., September 17 to 23, 1933 (H.Doc. No. 150), was taken from the Speaker's table, referred to the Committee on Military Affairs, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WILSON: Committee on Flood Control. H.R. 9430. A bill to provide a preliminary examination of the Cowlitz River and its tributaries in the State of Washington, with a view to the control of its floods; without amendment (Rept. No. 1629). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILSON: Committee on Flood Control. H.R. 9431. A bill to provide for a preliminary examination of Chehalis River and its tributaries in the State of Washington, with a view to the control of its floods; without amendment (Rept. No. 1630). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILSON: Committee on Flood Control. H.R. 9432. A bill to provide a preliminary examination of the Lewis River and its tributaries in the State of Washington, with a view to the control of its floods; without amendment (Rept. No. 1631). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILSON: Committee on Flood Control. H.R. 9433. A bill to provide a preliminary examination of Columbia River and its tributaries in the State of Washington, with a view to the control of its flood waters; without amendment

(Rept. No. 1632). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on Labor. House Report No. 1633. A preliminary report pursuant to House Resolution 249. Referred to the House Calendar.

Mr. BANKHEAD: Committee on Rules. House Resolution 383. Resolution for the consideration of S. 2347; without amendment (Rept. No. 1634). Referred to the House Calendar.

Mr. BANKHEAD: Committee on Rules. House Resolution 384. Resolution for the consideration of H.R. 2837; without amendment (Rept. No. 1635). Referred to the House Calendar.

Mr. O'CONNOR: Committee on Rules. House Resolution 381. Resolution for the consideration of H.R. 9322, a bill to provide for the establishment, operation, and maintenance of foreign trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes; with amendment (Rept. No. 1636). Referred to the House Calendar.

Mr. JONES: Committee on Agriculture. H.R. 9623. A bill to amend the Grain Futures Act to prevent and remove obstructions and burdens upon interstate commerce in grains and other commodities by regulating transactions therein on commodity futures exchanges, by providing means for limiting short selling and speculation in such commodities on such exchanges, by licensing commission merchants dealing in such commodities for future delivery on such exchanges, and for other purposes; with amendment (Rept. No. 1637). Referred to the Committee of the Whole House on the state of the Union.

Mr. COX: Committee on Rules. House Resolution 369. Resolution for the consideration of H.R. 9404; without amendment (Rept. No. 1638). Referred to the House Calendar.

Mr. TERRELL of Texas: Committee on the Post Office and Post Roads. H.R. 9595. A bill to increase the compensation of letter carriers in the village delivery service; with amendment (Rept. No. 1639). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRITTEN: Committee on Naval Affairs. H.R. 7742. A bill for the relief of the present leader of the United States Navy Band; without amendment (Rept. No. 1640). Referred to the Committee of the Whole House on the state of the Union.

Mr. PLUMLEY: Committee on Military Affairs. H.R. 3084. A bill authorizing the sale of portions of the Pueblo lands of San Diego to the city of San Diego, Calif.; without amendment (Rept. No. 1641). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEA of California: Committee on Interstate and Foreign Commerce. H.R. 9530. A bill granting the consent of Congress to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate a toll bridge across Puget Sound, State of Washington, at or near a point commonly known as "The Narrows"; without amendment (Rept. No. 1642). Referred to the House Calendar.

Mr. BLAND: Committee on Merchant Marine, Radio, and Fisheries. House Joint Resolution 340. Joint resolution to harmonize the treaties and statutes of the United States with reference to American Samoa; without amendment (Rept. No. 1643). Referred to the House Calendar.

Mr. AYERS of Montana: Committee on Indian Affairs. H.R. 8346. A bill to provide funds for cooperation with school district no. 17-H, Big Horn County, Mont., for extension of public-school buildings to be available to Indian children; without amendment (Rept. No. 1645). Referred to the Committee of the Whole House on the state of the Union.

Mr. AYERS of Montana: Committee on Indian Affairs. H.R. 4864. A bill to provide funds for cooperation with the school board at Queets, Wash., in the construction of a public-school building to be available to Indian children of the village of Queets, Jefferson County, Wash.; without

amendment (Rept. No. 1646). Referred to the Committee of the Whole House on the state of the Union.

Mr. AYERS of Montana: Committee on Indian Affairs. H.R. 5747. A bill to authorize appropriations for the completion of the public high school at Frazer, Mont.; with amendment (Rept. No. 1647). Referred to the Committee of the Whole House on the state of the Union.

Mr. AYERS of Montana: Committee on Indian Affairs. H.R. 5946. A bill for expenditure of funds for cooperation with the public-school board at Poplar, Mont., in the construction or improvement of public building to be available to Indian children of the Fort Peck Indian Reservation, Mont.; without amendment (Rept. No. 1648). Referred to the Committee of the Whole House on the state of the Union.

Mr. AYERS of Montana: Committee on Indian Affairs. H.R. 6469. A bill for expenditure of funds for cooperation with the public-school board at Wolf Point, Mont., in the construction or improvement of a public building to be available to Indian children of the Fort Peck Indian Reservation, Mont.; without amendment (Rept. No. 1649). Referred to the Committee of the Whole House on the state of the Union.

Mr. AYERS of Montana: Committee on Indian Affairs. H.R. 7146. A bill to provide funds for cooperation with the school board at Brockton, Mont., in the extension of the public-school building at that place to be available to Indian children of the Fort Peck Indian Reservation; without amendment (Rept. No. 1650). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANDREWS of New York: Committee on Military Affairs. House Joint Resolution 341. Joint resolution authorizing an appropriation for the participation of the United States in the International Celebration at Fort Niagara, N.Y.; with amendment (Rept. No. 1651). Referred to the Committee of the Whole House on the state of the Union.

Mr. AYERS of Montana: Committee on Indian Affairs. H.R. 7361. A bill to provide funds for cooperation with White Swan School District, no. 88, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation; without amendment (Rept. No. 1652). Referred to the Committee of the Whole House on the state of the Union.

Mr. AYERS of Montana: Committee on Indian Affairs. H.R. 7412. A bill to provide funds for cooperation with Marysville school district, no. 325, Snohomish County, Wash., for extension of public-school buildings to be available for Indian children; without amendment (Rept. No. 1653). Referred to the Committee of the Whole House on the state of the Union.

Mr. AYERS of Montana: Committee on Indian Affairs. H.R. 8342. A bill to provide funds for cooperation with school district no. 27, Big Horn County, Mont., for extension of public-school buildings to be available to Indian children; without amendment (Rept. No. 1654). Referred to the Committee of the Whole House on the state of the Union.

Mr. AYERS of Montana: Committee on Indian Affairs. H.R. 8906. A bill to provide funds for cooperation with the public-school board at Covelo, Calif., in the construction of public-school buildings to be available to Indian children of the Round Valley Reservation, Calif.; without amendment (Rept. No. 1655). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEROUEN: Committee on the Public Lands. H.R. 8954. A bill to amend an act approved June 14, 1932 (47 Stat. 306), entitled "An act granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River"; without amendment (Rept. No. 1656). Referred to the House Calendar.

Mr. ROBINSON: Committee on the Public Lands. H.R. 7653. A bill to establish the Ocmulgee National Park in Bibb County, Ga.; with amendment (Rept. No. 1657). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. THOM: Committee on Claims. H.R. 3849. A bill for the relief of Harbor Springs, Mich.; with amendment (Rept. No. 1614). Referred to the Committee of the Whole House.

Mr. RAMSPECK: Committee on Claims. H.R. 3986. A bill for the relief of Ernst Nussbaum; without amendment (Rept. No. 1615). Referred to the Committee of the Whole House.

Mrs. CLARKE of New York: Committee on claims. H.R. 5002. A bill for the relief of Yamato Sesoko; with amendment (Rept. No. 1616). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. H.R. 5401. A bill for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of catastrophes of nature and other causes; without amendment (Rept. No. 1617). Referred to the Committee of the Whole House.

Mr. THOM: Committee on Claims. H.R. 5537. A bill for the relief of John M. Green; with amendment (Rept. No. 1618). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. H.R. 5644. A bill for the relief of William E. Fossett; with amendment (Rept. No. 1619). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. H.R. 5896. A bill for the relief of Sanford N. Schwartz; with amendment (Rept. No. 1620). Referred to the Committee of the Whole House.

Mr. ELLZEY of Mississippi: Committee on Claims. H.R. 6950. A bill for the relief of Joseph W. Ludlum and the estate of Oliver Keith Ludlum; with amendment (Rept. No. 1621). Referred to the Committee of the Whole House.

Mr. ELLZEY of Mississippi: Committee on Claims. S. 887. An act for the relief of Lucy B. Hertz and J. W. Hertz; without amendment (Rept. No. 1622). Referred to the Committee of the Whole House.

Mr. ELLZEY of Mississippi: Committee on Claims. S. 1585. An act for the relief of the Black Hardware Co.; with amendment (Rept. No. 1623). Referred to the Committee of the Whole House.

Mr. ELLZEY of Mississippi: Committee on Claims. S. 1633. An act for the relief of Emma Fein; without amendment (Rept. No. 1624). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. S. 1804. An act to authorize the transfer of certain real estate by the Secretary of the Treasury to C. F. Colvin in settlement of the Northfield (Minn.) post-office site litigation, and for other purposes; without amendment (Rept. No. 1625). Referred to the Committee of the Whole House.

Mr. BLANCHARD: Committee on Claims. S. 1993. An act for the relief of the estate of Martin Flynn; with amendment (Rept. No. 1626). Referred to the Committee of the Whole House.

Mr. BLANCHARD: Committee on Claims. S. 2744. An act for the relief of Anna Carroll Taussig; without amendment (Rept. No. 1627). Referred to the Committee of the Whole House.

Mrs. CLARKE of New York: Committee on Claims. S. 3016. An act for the relief of the Dongji Investment Co., Ltd.; without amendment (Rept. No. 1628). Referred to the Committee of the Whole House.

Mr. DARDEN: Committee on Naval Affairs. H.R. 7196. A bill for the relief of the Richmond, Fredericksburg & Potomac Railroad Co.; without amendment (Rept. No. 1644). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOODRUM: A bill (H.R. 9641) granting the consent of Congress to the several States to levy and collect taxes on gasoline and other motor-vehicle fuels in certain

instances when sold on United States military and other reservations; to the Committee on Ways and Means.

By Mr. LOZIER: A bill (H.R. 9642) authorizing the Comptroller General of the United States to make an examination of certain claims of the State of Missouri; to the Committee on War Claims.

By Mr. WHITE: A bill (H.R. 9643) to assist and promote the development of the mineral resources located within the national forests of the United States, authorizing the construction of roads by the Secretary of Agriculture for the use of the owners or operators of mining properties, and for other purposes; to the Committee on the Public Lands.

By Mr. BEITER: A bill (H.R. 9644) to authorize the Home Owners' Loan Corporation to finance the modernization, alteration, and repair of buildings; to the Committee on Banking and Currency.

By Mr. CANNON of Missouri: A bill (H.R. 9645) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Washington, Mo.; to the Committee on Interstate and Foreign Commerce.

By Mr. BIERMANN: A bill (H.R. 9646) to authorize the acquisition of additional land for the Upper Mississippi River Wild Life and Fish Refuge; to the Committee on Agriculture.

By Mr. WERNER: A bill (H.R. 9647) to amend the act entitled "An act creating the Mount Rushmore National Memorial Commission and defining its powers and purposes", approved February 25, 1929, and for other purposes; to the Committee on the Library.

By Mr. LEMKE: A bill (H.R. 9648) to amend an act entitled "The United States Grain Standards Act" approved August 11, 1916, and acts amendatory thereto; to the Committee on Agriculture.

By Mr. CALDWELL: A bill (H.R. 9649) to amend the Reconstruction Finance Corporation Act so as to extend the provisions thereof to private corporations to aid in constructing and maintaining facilities for the marketing, storing, warehousing, and/or processing of forest products; to the Committee on Banking and Currency.

By Mr. ROBINSON: A bill (H.R. 9650) to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Uinta and Wasatch National Forests, Utah; to the Committee on Agriculture.

By Mr. OLIVER of New York: A bill (H.R. 9651) to amend section 233 of the Criminal Code, as amended; to the Committee on the Judiciary.

By Mr. LAMNECK: A bill (H.R. 9652) to provide for apportionment of positions in each Federal land bank according to the population of the States served thereby; to the Committee on Agriculture.

By Mr. BROWN of Michigan: A bill (H.R. 9653) granting the consent of Congress to the State of Michigan, by and through the Mackinac Straits Bridge Authority, its successors and assigns, to construct, maintain, and operate a toll bridge, or series of bridges, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan; to the Committee on Interstate and Foreign Commerce.

By Mr. RAYBURN: A bill (H.R. 9654) to authorize the Department of Commerce to make special statistical studies upon payment of the cost thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WEIDEMAN: A bill (H.R. 9655) to regulate traffic and trade, protect small business houses and industry, promote orderly marketing, encourage individual initiative, decentralize business, and give the consumers the benefit of free competition denied them by chain ownership and operation, holding companies, and interlocking directorates; to the Committee on Ways and Means.

By Mr. BANKHEAD: Resolution (H.Res. 383) for the consideration of S. 2347, an act to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended; to the Committee on Rules.

Also, resolution (H.Res. 384) for the consideration of H.R. 2837, to provide for the establishment of the Everglades

National Park in the State of Florida, and for other purposes; to the Committee on Rules.

By Mr. LUNDEEN: Resolution (H.Res. 385) instructing the House Committee on Labor to make an investigation of the strike situation, and for other purposes; to the Committee on Rules.

By Mr. BUCHANAN: Joint resolution (H.J.Res. 345) to provide funds to enable the Secretary of Agriculture to carry out the purposes of the acts approved April 21, 1934, and April 7, 1934, relating, respectively, to cotton and to cattle and dairy products, and for other purposes; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H.R. 9656) for the relief of Malcolm P. Nash; to the Committee on Naval Affairs.

By Mr. CROSSER of Ohio: A bill (H.R. 9657) for the relief of Louis Finger and Elsie Finger; to the Committee on Claims.

By Mr. KENNEDY of New York: A bill (H.R. 9658) for the relief of Thomas O'Brien; to the Committee on Claims.

By Mr. MALONEY of Connecticut: A bill (H.R. 9659) for the relief of Joseph H. Sheridan; to the Committee on Claims.

By Mr. MITCHELL: A bill (H.R. 9660) for the relief of C. T. Mingle; to the Committee on the Post Office and Post Roads.

By Mr. SCRUGHAM: A bill (H.R. 9661) to authorize the presentation to Orrin W. Davie of a Distinguished-Service Cross; to the Committee on Military Affairs.

By Mr. SADOWSKI: A bill (H.R. 9662) to authorize the award of the Congressional Medal of Honor to Allan Joseph Chamblin; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4645. By Mr. DONDERO: Petition of the Detroit section of the American Society of Civil Engineers, petitioning Congress to remove the barrier to the use of funds under the provisions of the Industrial Recovery Act for the acquisition of any land, right-of-way, or easement, in connection with any railroad grade elimination (separation) project, making it possible for the land takings for the approaches of grade separations to be a part of the cost on which the 30-percent grant may apply in the elimination of railroad grade crossings at dangerous points of congested traffic, etc.; to the Committee on Interstate and Foreign Commerce.

4646. By Mr. GOODWIN: Petition of 19 members of the National Woman's Party and League of Women Voters of New York City and vicinity, urging report on House bill 9240 out of committee; to the Committee on Expenditures in the Executive Departments.

4647. By Mr. JOHNSON of Texas: Memorial of C. M. Thomason, of Kerens, Tex., favoring House bill 9595, to increase salaries of village carriers; to the Committee on the Post Office and Post Roads.

4648. By Mr. MILLARD: Petition signed by members of the Catholic Daughters of America of Harrison, N.Y., urging the passage of Senate bill 3285 and the amendment proposed by Father Harney; to the Committee on Interstate and Foreign Commerce.

4649. By Mr. RUDD: Petition of the Fifth Assembly District Republican Club, Inc., of Queens, Ozone Park, Long Island, N.Y., favoring the Kenney bill, making teachers' oath mandatory, to pledge allegiance to the Constitution of the United States; to the Committee on the Judiciary.

4650. By Mr. WELCH: Petition of citizens of San Francisco, urging passage of bill (H.R. 7902) to grant to Indians living under Federal tutelage the freedom to organize for purposes of self-government and economic enterprise, etc.; to the Committee on Indian Affairs.

4651. By the SPEAKER: Petition of Moss King and others, relative to the protection of American dairymen; to the Committee on Agriculture.

4652. Also, petition of Robert T. Hatt, corresponding secretary of the American Society of Mammalogists, transmitting a resolution of the American Society of Mammalogists, adopted at the sixteenth annual convention held in New York City May 11, 1934, protesting against any legislation removing protection from the sea lions of Alaska; to the Committee on Merchant Marine, Radio, and Fisheries.

4653. Also, petition of the Bergen Federation of the Holy Name Society, urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4654. Also, petition of various individuals and organizations of Pottstown, Pa., and other cities, asking adoption of a proposed amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4655. Also, petition of Harold G. Rossell, 4860 North Hermitage Avenue, Chicago, Ill., requesting investigation by the House of Representatives of certain facts and conditions in the administration of justice in the District Court of the United States for the Northern District of Illinois; to the Committee on the Judiciary.

4656. Also, petition of G. W. Martin and others, urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on the Merchant Marine, Radio, and Fisheries.

4657. Also, petition of George Servatius, Jr., and approximately 100 other citizens of Utica, N.Y., supporting the proposed amendment to section 301 of Senate bill 2910, relating to equal opportunities over radio systems; to the Committee on Merchant Marine, Radio, and Fisheries.

4658. Also, petition of the Ladies' Catholic Benevolent Association of Webster, N.Y., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4659. Also, petition of the members of the Sacred Heart Holy Name Society in the town of Lyndhurst, N.J., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4660. Also, petition of Richard L. G. Deverall, 203 Walnut Street, Ridgewood, N.J., and various members of the Ridgewood Catholic Study Group, endorsing a proposed amendment to section 301 of Senate bill 2910 in opposition to radio discrimination; to the Committee on Merchant Marine, Radio, and Fisheries.

SENATE

WEDNESDAY, MAY 16, 1934

(Legislative day of Thursday, May 10, 1934)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On motion of Mr. ROBINSON of Arkansas, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Tuesday, May 15, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that Mr. OLIVER of New York was appointed an additional manager on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5884) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

The message also announced that the House had passed without amendment the bill (S. 258) for the relief of Wallace E. Ordway.